

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION
OF 1964

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, AUGUST 4, 1964



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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HOUSE OF REPRESENTATIVES
OF THE
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FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 4, 1964

Be it remembered that on the 24th day of July, 1964, His Excellency, George C. Wallace, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

**A PROCLAMATION
BY THE
GOVERNOR**

WHEREAS, the loss of a congressman following the Federal decennial census of 1960 and the subsequent failure of the Legislature to divide the State into eight congressional districts has occasioned an acute crisis in the administration of the public affairs of the people of Alabama requiring consideration by the Legislature of legislation to effect the division of the State into eight congressional districts; and

WHEREAS, there exists this extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama:

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the seat of Government at the State Capitol in Montgomery, Alabama, at twelve o'clock noon, August 4, 1964, and I hereby designate the following subject and matter to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to amend Section 425, Title 17, 1940 Code of Alabama, to provide for the division of the State into eight congressional districts and to designate the counties comprising each such district.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and caused the Secretary of State to attest this proclamation, at the Capitol, in the City of Montgomery, on the 24th day of July, 1964.

GEORGE C. WALLACE,
Governor.

ATTEST:
MRS. AGNES BAGGETT,
Secretary of State

In pursuance whereof, at the hour of 12 M., on Tuesday the 4th day of August, 1964, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

The House was called to order by Honorable Albert P. Brewer, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by the Reverend John Thomas, Minister, Methodist Church, Enterprise, Alabama.

CERTIFICATE OF ELECTION THE STATE OF ALABAMA DEPARTMENT OF STATE

I, Mrs. Agnes Baggett, Secretary of State, of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that it appears from the returns of the Special Election held on May 5, 1964, held in Greene County, Alabama, received in accordance with law, that the following named person was elected to the House of Representatives from Greene County, Alabama, to fill the vacancy created by the death of W. L. (Doc) Martin, Jr.

EDWIN A. TUCK

I do further certify that the certificate of election required by law to be furnished by me to the members of the House of Representatives has been issued to him according to election returns made to this department.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, this 29th day of July, One Thousand Nine Hundred and Sixty-four.

MRS. AGNES BAGGETT,
Secretary of State.

ALABAMA GREAT SEAL

STATE OF ALABAMA
MONTGOMERY COUNTY

We hereby certify, in pursuance of Section 201 of Title 17, Code of Alabama of 1940, that the returns of the Special Election held on May 5, 1964, to fill the vacancy in the office of Representative in the Legislature from Greene County caused by the death of W. L. (Doc) Martin, were opened by us and the result found to be as follows:

James F. (Jimmy) Cameron received.....	879 votes
Edwin A. Tuck received.....	922 votes
J. C. Fleming received.....	1 vote
Lyndon B. Johnson received.....	1 vote
Mrs. Dock Martin received.....	2 votes

Dated this 7th day of May, 1964.

GEORGE C. WALLACE,
Governor

RICHMOND M. FLOWERS,
by John C. Tyson, III,
Attorney General

MRS. AGNES BAGGETT,
Secretary of State

OATH OF OFFICE

The oath of office was administered to Honorable Edwin A. Tuck from Greene County, Alabama, by the Honorable James S. Coleman, Jr., Associate Justice of the Supreme Court of Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hankins	Pennington
Albea	Collins	Hannah	Perry
Avery	Cook	Harper	Pierce
Bailes	Cooper	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Bethea (B)	Doggett	Ingram	Rogers
Bethea (M)	Dominick	Jones (Covington)	Salter
Bevill	Downing	Jones (Monroe)	Scurlock
Blanton	Drake	Little	Sessions
Bolton	Edington	Locke	Slate
Boston	Edwards (Escambia)	McCorquodale	Smith
Bowers	Edwards (Lowndes)	McDermott	Snell
Branyon	Engel	Mashburn	Steagall
Brown (Jefferson)	Etheredge	Meade	Stembridge
Brown (Tuscaloosa)	Faulk	Meeks	Sullivan
Burnham	Fields	Merrill	Teel
Burns	Fite	Moore	Thomas
Callahan	Gilmore	Morrow	Tuck
Camp	Glass	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	Nettles	Turnham
Cantrell	Grouby	Owens	Vacca
Carr	Hain	Paulk	Young
Casey			

—105

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Rogers leave of absence was granted to Mr. Wood because of personal illness.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Fite:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Fite the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Fite:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three mem-

bers of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the presiding officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED THAT said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

On motion of Mr. Fite the rules were suspended and H. J. R. 2 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Nettles, Thomas and Avery.

Also:

By Mr. Fite:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate be held at 12:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House to be named by the Speaker of the House and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. Fite the rules were suspended and H. J. R. 3 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Turner (Crenshaw), Cates and Barnett.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify you that the Senate is now in session and ready for the transaction of public business.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Nichols:

S. J. R. 1. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of five, consisting of two members on the part of the Senate, to be appointed by the President, and three members on the part of the House, to be appointed by the Speaker, be named to wait upon the Governor and in-

form him that the Legislature is in session and is ready for the transaction of public business.

BE IT FURTHER RESOLVED, That a joint session of the two houses be held at 12:30 p.m. today for the purpose of hearing an address by the Honorable George C. Wallace, Governor of Alabama; and the above committee shall wait upon the Governor and advise him that the two houses will meet in joint session at 12:30. The committee shall escort the Governor to the House at such hour if he desires to address the joint session.

And the President and Presiding Officer of the Senate appointed as committee on part of the Senate Messrs. Mathews and Nichols.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite the rules were suspended and the House concurred in and adopted the S. J. R. 1 set out in the above and foregoing Message from the Senate.

And the Speaker appointed as a committee on the part of the House Messrs. Turner (Crenshaw), Cates and Barnett.

RESOLUTION

The following resolution was introduced:

By Messrs. Turner (Crenshaw), Brewer, Albea, Avery, Bailles, Baker (DeKalb), Baker (Madison), Barnett, Bassett, Bethea (B), Bethea (M), Beville, Blanton, Bolton, Boston, Bowers, Branyon, Brown (Jefferson), Brown (Tuscaloosa), Burnham, Burns, Callahan, Camp, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Carr, Casey, Cates, Collins, Cook, Cooper, Cornett, Crawford, Daniel, Davis, Doggett, Dominick, Downing, Drake, Edington, Edwards (Escambia), Edwards (Lowndes), Engel, Etheredge, Faulk, Fields, Fite, Gilmore, Glass, Goldthwaite, Goodwyn, Grouby, Hain, Hankins, Hannah, Harper, Hawkins, Heflin, Hester, Hogan, Holladay, Ingram, Jones (Covington), Jones (Monroe), Little, Locke, McCorquodale, McDermott, Mashburn, Meade, Meeks, Merrill, Moore, Morrow, Nabors, NeSmith, Nettles, Owens, Paulk, Pennington, Perry, Pierce, Posey, Powell, Pruitt, Rast, Reynolds, Rogers, Salter, Scurlock, Sessions, Slate, Smith, Snell, Steagall, Stembridge, Sullivan, Teel, Thomas, Tuck, Turner (Limestone), Turnham, Vacca, Wood, Young:

H. J. R. 4. WHEREAS, we are saddened by the absence of our colleague, The Honorable W. L. Martin, better known as "Doc" Martin, a much beloved and respected member of this House, who, prior to his death last October, was in point of service the oldest member of this body, having served honorably continuously herein since 1939; and

WHEREAS, through his long term of service "Doc" was an ardent believer in and worker for the betterment of Alabama, ever interested in promoting education and the general welfare; but also a real humanitarian who devoted much time and effort to means of improving the facilities and services of the State Hospitals and the Partlow State School, and in reforming our prison system; and

WHEREAS "Doc's" wife, Vivian, was a frequent and ever welcome visitor at legislative sessions, interested at all times in lending a helping hand to "Doc"; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, THE SENATE CONCURRING, That the Legislature of Alabama laments the death of the Honorable W. L. Martin. We hereby extend to his widow our heartfelt sympathy and assure her that both she and "Doc" are sorely missed.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent by the clerk of the House to Mrs. W. L. Martin.

On motion of Mr. Turner (Crenshaw) the rules were suspended and H. J. R. 4 was unanimously adopted.

JOINT SESSION

The hour of 12:30 o'clock P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with joint resolution heretofore adopted, for the purpose of hearing an address by the Honorable George C. Wallace, Governor of the State of Alabama.

The joint session was called to order by the Honorable James B. Allen, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, George C. Wallace, Governor of the State of Alabama, appeared before the joint session and delivered the following message:

Lieutenant Governor Allen, Mr. Speaker—Albert Brewer—, Members of the Senate and House of Representatives:

It is always a pleasure to appear before you. As I have said many times before, this Legislature is composed of many of the state's most outstanding citizens.

Your record of service already is historic and worthy.

But today, as you are called into this special session, you face, once again, a formidable task.

It is time to redistrict our state.

Let us get it clear in our minds and make it clear to the people of Alabama that you were not called into session to redistrict because of fear of the Federal Court System. If redistricting is accomplished it will be done because it is the right and proper thing to do, and is in the interest of the people of our state. I will never request this legislature to do anything, which in my judgment, is contrary to the best interest of the people of Alabama, no matter what the Federal Court system says or does in its current massive assault on state governments.

Recent decisions on the matter have created chaotic confusion. The Congress of the United States has prescribed the manner in which congressional representatives shall be elected where there is a decrease in the members of representatives.

The United States Code annotated, Title II, Section 2, (c) (5) provides as follows: "Until a state is redistricted in the manner provided by the law thereof after any apportionment, the representatives to which such state is entitled under such apportionment shall be elected in the following manner: . . . If there is a decrease in the number of representatives and the number of districts in such state exceeds such de-

creased number of representatives, they shall be elected from the state at large."

Clearly Congress recognized the right of a state legislation to handle the matter of redistricting, providing only for state at large elections until such redistricting should be accomplished. The so-called 9-8 plan recently ruled invalid by a Federal District Court in the Moore Case, involved only the method of selection of nominees of a political party to run in the state at large general election. Without arguing the merits of the plan, pro or con, it is clearly within the rights of the state legislature to enact laws prescribing the method of selection of nominees of political parties. In refusing to recognize this right the Federal Courts continue to abridge the rights of the states, creating chaos and confusion.

The Moore Case also indicates that the Courts will interfere unless districts are based solely on population. Again this is an example of judicial legislation—usurpation of the function of the legislative branch of government—thus adding to the difficulty of arriving at an acceptable plan of redistricting.

As I stated a moment ago, we should redistrict because it is the right and proper thing to do and is in the interest of the people of this state. I strongly urge you to pass a redistricting plan at this special session. It has been four years since the 1960 census reduced our delegation to 8 members.

We all recognize the hardships imposed on Democratic candidates by reason of the 9-8 method of nomination and it is doubtful that any less objectionable plan can be devised as its replacement.

State wide races every two years constitute an unreasonable burden on the Congressional candidates, and in the case of incumbents, require an inordinate amount of their time away from their duties in campaigning. Above all, the people of the state are deprived of the opportunity of personal contact with their congressional representative.

Historically, in our governmental system, the Congressman has been the citizen's most intimate contact and voice in the national government. There are many other advantages to be enjoyed by our people under the district arrangement which are denied them when eight congressmen represent the state at large.

Let us all resolve, today, that we will put forth every effort to adopt a redistricting plan at this special session. The task will not be easy. Not everyone will be happy immediately with the final plan. Each of you will zealously represent your constituents and be vitally interested in your own district. You can do this and still accomplish the goal. You are members of the Alabama Legislature, and I know you will act in the interest of the entire state—this will also be in the interest of your constituents because we are all Alabamians and what is beneficial to the state is beneficial to your constituents.

Let us each dedicate ourselves to the high purpose of orderly government. Our duty to the people is to do what ever we know to be right.

Redistricting is a legislative responsibility; but you alone should not be saddled with the complete task.

Our Congressional delegation and nominees, all of whom are for redistricting, should assist in this undertaking and I, today, call on them for their advice and cooperation, as you seek a solution to this pressing problem. There may be some question as to the timing, but all nominees of both parties are in accord on the need for redistricting.

I hope you will act expeditiously in this matter. The cost of this extra session will be defrayed from the general fund which, as you know, supports various public services including assistance to the aged, the blind, the handicapped, public health programs and many others. Each of these programs might be adversely affected by an extended session. In addition, I call your attention to the statutory requirement that candidates be certified to the Secretary of State not later than September 3 in order to get their names on the general election ballot.

A larger and far more important problem is presented by the ruling of the United States Supreme Court in the reapportionment decision. In this case, the Alabama Legislature and the legislatures of fifty states have been confronted with one of the most outrageous decisions ever handed down by the United States Supreme Court.

This decision asserts power in the non-elective branch of the federal government to prescribe the manner in which the legislative power in the states shall be apportioned.

You and I know, and any student in a ninth grade civics class knows, that in a Republic it is the people who create governments. That governments derive their just powers from the consent of the governed, and that it is the people who structure their state governments and limit and allocate and apportion the powers to be exercised by the executive, judicial and legislative branches of the government thus created.

The idea that the federal judiciary has the power to enjoin the people of the separate states from amending their constitutions to provide for an apportionment of the legislative power in the same manner as the power of Congress is apportioned under the federal Constitution is utter nonsense. It is repugnant to the concept of our representative constitutional system of government.

In the most recent Supreme Court reapportionment decision the court declared the unit system of representation unconstitutional and foreign to the concept of a republican form of government.

Of course, this system existed in the states even before the federal government was created by the states. It has its origin in Anglo-Saxon tradition. It is based on reason and common sense and serves a most useful and valid purpose.

In fact, we find the unit system of representation interwoven in our daily lives. For example, in practically all civic and professional clubs and organizations such as the Farm Bureau, American Legion, Kiwanis, Rotary, Lions, and others of this type, the club is the unit of representation in the state and national governing bodies of these organizations, and not numbers alone.

Why anything so typically American should be declared unconstitutional can be understood only in terms of the real purpose and intent of the United States Supreme Court.

What is the purpose? Normally, one might expect to find the answer in a written opinion of the court. However, the whole history of this particular usurpation of the sovereign power of the people is wrapped in contradiction.

First, you will recall that in *Baker v. Carr*, the court pretended to be concerned only with legislative "inaction". Legislative inaction was supposed to violate the provisions of the equal protection clause of the 14th Amendment to the Federal Constitution.

It will be seen that this was only the gambit by which the Court assumed jurisdiction over a purely political question. The end result was the nullification of the right of the people to structure their own state governments and to allocate its powers in any manner they saw fit and proper.

Having assumed jurisdiction, look what the local federal court did in Alabama. It assumed the additional power to actually enter a decree by which it exercised its own judgment as to the proper allocation of legislative power in the State of Alabama.

In doing so, it went beyond anything authorized by the Supreme Court in the *Baker v. Carr* decision. There is not a line or even a suggestion in that case that the federal court asserted power to do anything more than correct legislative "inaction" represented by legislative failure to comply with state constitutional provisions to reapportion periodically.

The opinion in the Alabama reapportionment case will stand as a permanent record of judicial incompetence. It is characterized by misstatements of fact, mistakes of the record, and palpable errors in reason and logic.

Let me cite but one classic example of the illogical reasoning of the Court. The opinion states that the Alabama Constitution clearly indicated that "population" was to be the dominant consideration in apportioning the legislative power of the State government.

Yet, the Alabama Constitution provided that each county should have not less than one representative in the House. Therefore, 67 representatives must be allocated without consideration of population at all. The balance of the 39 representatives and only 39, mind you, could be allocated on the basis of population. How the Court could reason from these facts that the clear intent of the Alabama Constitution was to apportion the legislative power on the basis of population is beyond my understanding.

Some day, I would like to see these Judges work that one out mathematically. However, when one can construe a limitation of power on the Federal Government into a grant of power, it is quite within their capability to illustrate how 106 seats of the Alabama House of Representatives can be allocated on the basis of population with 67 of such seats required to be allocated one to each county.

In 1948 when Chief Justice Earl Warren was Governor of California he said:

"Many California counties are far more important in the life of the state than their population bears to the entire population of the state. It is for this reason that I have never been in favor of redistricting their representation in the Senate to a strictly population basis.

"It is for the same reason that the Founding Fathers of our country gave balanced representation to the states of the union, equal representation in one house and proportionate representation in the other.

"Moves have been made to upset the balanced representation of our state, even though it has served us well and is strictly in accord with American tradition and the pattern of our national government".

But let's move to 1964 after Warren has spent over a decade in Washington. Here's what he is saying now:

"The basic principle of representative government remains, and must remain, unchanged—the weight of a citizen's vote cannot be made

to depend on where he lives. Population is, of necessity, the starting point for consideration and the controlling criterion for judgment in legislative apportionment controversies.

"The Founding Fathers clearly had no intention of establishing a pattern or model for the apportionment of seats in state legislatures when the system of representation in the Federal Congress was adopted."

But getting back to the purpose behind the United States Supreme Court reapportionment decision, you will recall that having assumed jurisdiction of a purely political question on the basis of guaranteeing "equal protection" of the vote, let's see how that actually worked out under the reasoning of the Court.

The Court "construed" equal protection to mean a power in the Court to prevent the people of the states from voting at all on such a fundamental question as how the legislative power of their own state government should be allocated.

It will be seen, therefore, that equal protection means in reality a grant of power in the non-elective branch of the Federal Government to prescribe the manner in which the people must allocate legislative powers of their own state governments.

As logic, this strikes me to be in the same category as that famous passage from Alice in Wonderland:

"And so," said the Queen of Hearts to Alice, "it should be plain as the nose on your face that the further you go to the right, the closer you get to the left, otherwise, my child, how would it ever be possible to meet oneself both coming and going?"

As of August 1, 1964, 16 states have already submitted resolutions memorializing the Congress to propose a constitutional amendment for ratification by the state legislatures with the intent of overturning the reapportionment decision of the United States Supreme Court.

I request that the Alabama Legislature join the ranks of these sister states in this urgent matter and that this resolution be promptly passed and transmitted to the Congress of the United States before they adjourn for the Democratic Convention.

I am confident that a sufficient number of states will act on this matter to effect the necessary amendment to restore to the people the right to allocate the legislative power in any manner they see fit.

I predict that this will be an issue in the forthcoming presidential campaign. I promise you this, I shall do everything within my power to get such an amendment passed.

In the meantime, I suggest that you appoint a joint committee composed of four members of the House and four members of the Senate to act as an interim committee to study carefully the question of legislative reapportionment, to coordinate your efforts with those of the Legislative Reference Service, the Council of State Governments and the various regional councils which have taken action and conducted studies of this question with the object of bringing your recommendations to the legislature at the next regular session.

The people of this nation are fed up with judicial oligarchy. There are going to be some changes made.

The American people are awakening to the danger. I am proud that we Alabamians have played some small part in alerting the American people to this danger.

We must act before it is too late. We must remember that we are dealing not with jurists as such. We are dealing with radical theorists. We are dealing with people who are dissatisfied with our constitutional system of government. They don't like it. They want to change it. They don't like our economic system. They want a planned economy. They detest the concept of private property. Their idea of constitutional protection accorded private property is to sanction the dedication of private property to public use without the consent of the owner and without compensation to the owner.

Neither do they like the idea of patriotism. It is nationalistic; they are internationalists.

They don't like the idea of political sovereignty in the people, nor the idea of local control of local schools. They insist upon the power to supervise local schools.

They don't like religion. They have banned prayer from public institutions and outlawed the recognition of a Deity in public schools. Sunday closing laws are next on the list to be stricken down by the federal judiciary because it is generally recognized that a majority of the people observe Sunday as a day of worship.

Soon religion in this nation will be as effectively banned from the lives of our people as it is in Russia.

Nor do members of this Court believe in the right of local people to protect their children from filth and obscenity and pornography in books, magazines and periodicals and picture shows. They have set themselves up as the supreme censors of the United States and it appears that there is no expression of filth and obscenity which does not meet their approval.

These are people who take a solemn oath to uphold and defend the Constitution of the United States and yet continuously construe the Constitution in a manner prohibited to them. Let me quote Article IX of the Bill of Rights. It states:

"The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people."

The United States Supreme Court has construed the Constitution in a manner not only to disparage the rights retained in the people but to absolutely nullify those rights.

In the name of reason and common sense, did we, a sovereign people, retain the right to freedom of association?

Did we retain the right to acknowledge the presence of Almighty God in the simple invocation in local institutions created by the people?

Did we retain the right to render personal services only to those whom we choose to serve?

Did we retain the right to own and manage and supervise our own private property?

Did we retain the right to manage our local affairs by the democratic process of public assembly and majority rule?

Did we retain the right to choose our own moral and ethical values? Did we retain the right to create a government, to structure it, and to insist that a government so created should derive its just powers from the consent of the governed?

Did we retain the right to allocate the legislative powers of state government?

Did we retain the right to amend our own state constitution? In short, did we retain the fundamental rights which constitute the very essence of a free society?

The United States Supreme Court has in each instance answered these questions in the negative. They have done so by construing the United States Constitution and its limitations of power into grants of power. Let the American people judge whether or not they have been true to their oath.

If it were possible to get the truth to the American people as to the full extent of the judicial usurpation of power by the United States Supreme Court there is no question of doubt but that the people would demand judicial reforms.

I will mention in passing that the Republican Platform adopted in San Francisco calls for an amendment to the federal Constitution to return to the people the sovereign right to apportion their own state's legislative power. I hope the Democratic Party will also support such a proposal.

I submit as evidence of that fact the testimony of the Conference of Chief Justices of the fifty state Supreme Courts of this Nation who said:

"It has long been an American boast that we have a government of laws and not of men. We believe that any study or recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast."

We believe that the testimony of these justices should be given great weight. They said:

"The value of a firm statement by us lies in the fact that we speak as members of all the state appellate courts with a background of many years experience in the determination of thousands of cases of all kinds. Surely there are those who will respect the declaration of what we believe."

If they needed additional support of their position it can be found in the hundreds of resolutions passed by the various state legislatures condemning the Supreme Court for the usurpation of powers rightfully reserved in the states and in the people of the United States. It could be found in the resolutions sponsored by the Council of State Governments, composed of representatives of the legislative branches of governments of the fifty states which have sought repeatedly to curb the power of the Court.

They might also rely upon the testimony of members of the present United States Supreme Court, one of whom has said with respect to the reapportionment decision:

"To put the matter plainly, there is nothing in all the history of this Court's decisions which supports this constitutional rule. This Court's draconian pronouncement which makes unconstitutional the legislatures of most of the fifty states finds no support in the words of the Constitution, in any prior decision of this Court, or in the one hundred and seventy-five year political history of our federal union . . . These decisions mark a long step backward into the unhappy era where a majority of the members of the Court were thought by many to have convinced themselves and each other that the demands of the Constitution were to be measured not by what it says but by their own notions of wise political theory."

There is something fundamentally wrong with any theory or practice which must violate its basic principles in order to make it work.

If the American people knew the truth about the fantastic decisions of the United States Supreme Court and if they knew of its schizophrenic claims to omnipotence and its claim of power to rule over the lives of our people, there can be little doubt that judicial reforms needed so desperately today would be accomplished by the American people while there is yet time.

It is with this certain knowledge that I have undertaken it as a duty of citizenship and as a responsibility to my fellow man to carry the message for constitutional government throughout the land.

I have maintained from the beginning that this is not a regional, sectional, nor even a racial question. The enemies of this Nation have utilized the highly charged emotional racial issue to mislead and deceive the American people. The basic issue now and always is, the preservation of our constitutional system of government, our judeo-Christian moral and ethical values, and our Anglo-Saxon traditions of justice and jurisprudence.

I can tell you that our concern for these principles is shared by millions of people throughout the Nation.

I have personal knowledge of this. Thirty-four percent of the Wisconsin Democrats supported the beliefs you and I hold and expound. Thirty percent of the Democrats in Indiana join us in fighting this grab for executive power by those who are now in control in Washington. And, listen to this, forty-three percent of the Democrats of Maryland, practically in view of the Nation's capitol, believe as you and I believe. And I might add that in each, the opposition counted the votes.

I shall never forget last spring as I stood in the midst of a throng of South Milwaukee supporters at one of the greatest political rallies I have ever seen.

A fine looking man grabbed my hand and said, "Governor, I have never been south of South Milwaukee, but I am a Southerner."

Of course, he was saying he believed in the principles and philosophy of the southern people, of you here today. He was right. Being a Southerner is not geographic. It's a philosophy and an attitude. One destined to be a national philosophy—embraced by millions of Americans—who look to us to assume the mantle of leadership, to steady governmental structure in these days of crisis.

These victories are not personal achievements. It has been an honor and a great privilege for me to represent you and provide our friends throughout the nation a means of protesting the growing power of the federal government.

It has not always been easy to maintain an even temper and dignity in the face of deliberate provocations. We have been sustained in the sure knowledge that you and I stand for truth and for principles that are valid.

Our initial mission has been accomplished. Out of a sincere desire to serve the best interest and welfare of the people, I withdrew as a candidate for the office of President of the United States with the sure knowledge that many millions of people, who otherwise would have been denied by the left-wing liberal press, have been alerted to the dangers that beset our country.

It has been a long campaign. It has been tiring, but it has paid dividends.

The day we flew into Wisconsin we had an abundance of faith in our cause—but only \$800.00 in our campaign fund. Since that time and

to date we have received total contributions amounting to \$321,334.09. Every dime of this money was furnished by voluntary contributions from citizens throughout the United States. We received letters with contributions ranging from a nickel to several hundred dollars. Labor union members, school teachers, Chambers of Commerce, doctors, lawyers, farmers and people from every walk of life joined in our efforts and made the campaign possible. We had no single person or group financing the campaign.

This money was spent for campaign expenses in Wisconsin, Indiana, Maryland, and in North Carolina and other states where preliminary steps had been taken to get on the ballot. A portion of the money was spent in the unpledged elector race in Alabama which was an integral part of our overall efforts. My expenses and those of members of my staff were paid from these funds on all of our campaign trips. A final compilation will be made when all bills are in. We still have some unpaid bills but we expect the amount of funds on hand will be just about sufficient to wipe the slate clean.

There was one item of expense to the State and that was in the use of the State airplane, (although travel expenses of the pilots was paid from the campaign fund). However, I do not believe the people of Alabama object to your Governor's use of this plane in his travels. The airplane was used for me, my staff and members of the Press.

Many of our trips resulted in bringing multi-million dollar industries to our state.

One direct benefit from these trips can be illustrated by the fact that our State Department of Publicity and Information has so far this year answered in excess of 100,000 inquiries from out of state with respect to visitations in Alabama.

The significance of this figure can be illustrated by pointing out that 24,000 inquiries were answered last year and 16,000 the year previous to that.

You can understand the potential value of this interest in visiting Alabama when it is pointed out that the travel industry in Alabama accounts for 57,500 jobs and a \$61 million annual payroll for our citizens. The 21 million out of state visitors spent \$180 million in our state last year, and it is reliably estimated that if we can keep each visitor to our state with us for one extra day it will mean \$100 million a year to our economy.

Of course, I do not imply that my out of state campaigns were the primary factor in this increased tourism. However, in my campaign for Governor, I promised an all out effort to provide a dynamic, expanding economy in all sectors of private enterprise, including the development of our tourist industry.

You, the members of the Alabama Legislature, deserve a great deal of credit for legislation which has enabled us to make tremendous progress in developing tourism as an industry in the State of Alabama.

Another direct benefit of my out of state activities is the opportunity it has provided me personally to acquaint industrial management with the wholesome business climate in Alabama. They know full well that we do more than pay lip service to the concept of private enterprise.

In every instance where I have talked to management of prospective industry for Alabama I have been warmly received and commended very highly on the position of the people of this State in support of our free enterprise economic system.

These people know just as you and I know that the same left-wing liberals behind all of this racial agitation are also behind the agitation to destroy the concept of private property upon which our free enterprise system is based.

It's the same bunch. The beatniks, the pinknicks, the left-wing radicals, dim-witted Utopians, and weak minded schizophrenics. They are members of the four or five hundred Communist front organizations, one hundred and fifty of which are currently under investigation by the Federal Bureau of Investigation.

You know, and I know that you don't sit on your hands and wait for industry to come to us. You have to get out and scrap for it. And, once you get it, it does us very little good if we lose it. Therefore, I think the figures for the last few years indicating the industrial growth of our economy will indicate to you how successful we have been in getting new industry and how successful we have been in keeping the new industry and persuading that which we already have to increase their capital investment to the benefit of us all.

New industries reported for Alabama during the first seven months of this year have resulted in a total capital investment of \$88 million. Expansions announced by existing industries for the same period add another \$26,400,000 to this total and bring the year's grand total to \$114,400,000. So far this year a total of sixty-eight new plants and eighty-one plant expansions have been announced. There are negotiations going on now that seem reasonably sure to bring \$200 million new industry this year in addition to what has already been announced.

In this connection it is important to note that these new and expanded industries will provide about 13,600 additional job opportunities for Alabama workers. This is more than half again the number reported in the first half of 1963 and is an important factor in the increasing prosperity of the State.

Communities in every section of Alabama are beginning to feel the favorable impact of this increased prosperity due to the geographic diversity of the new and expanded plants. New industries are locating in thirty-nine different counties and already are established or have announced plans for expansions in thirty-nine counties. A total of fifty-four counties will benefit from this growth.

A brief look at the progress in 1963 will give another indication of the bright future that awaits Alabama people. Hundreds of new jobs resulted from the \$344 million investment in new and expanded industries during 1963.

This figure is more than one-third of a billion dollars. The 1963 report includes \$101,446,000 invested in one hundred and twenty-five new industries and \$242,645,000 invested in one hundred and seventy-six expansions. 19,335 new jobs resulted from this industrial development.

It is interesting to note that during 1963 Alabama's total industrial growth in new and expanded industries was more than twice the growth during 1962 and equal to the combined total of 1961 and 1962, and this does not count the innumerable new small service and utility trades that were created and profited indirectly from new industrial growth.

Just as in the case of the expanded tourist trade, we do not pretend to know to what extent our activities outside of the State of Alabama have contributed to this wholesome development.

Another factor in the remarkable economic progress in Alabama is that of our unexcelled system of trade schools and the very attractive programs for the financing of new industrial development in the State.

I am proud to have sponsored as a legislator, our first trade school act. I am also proud of the sponsorship of the Wallace Industrial Development Act.

A major objective of my administration has been to provide the leadership, the goals, the determination to assure growth of the State's economy. We set as a goal the doubling of the per capita income of our people as an economic necessity.

In pursuit of that goal, this administration has actively and vigorously pushed for new industry. We all realize that industry is in a period of transition. Today as never before, it must have trained personnel.

Their need requires a vast reservoir of trained technicians and specialists as well as thousands and thousands of competent tradesmen.

In my platform I stated that in order to help meet the needs of industry I would sponsor legislation to provide two years of technical training beyond high school for every boy and girl in Alabama who has the ability and desire to profit by such training and that junior colleges would be needed to provide this training, in addition to offering liberal arts courses to qualify students for entrance to our universities.

It is seldom that Alabama receives accolades from the federal government for anything. However, Alabama's program of trade and technical schools and junior colleges have been highly praised by the United States Office of Education. In a recent news release, it was said that our program is "unmatched anywhere" and that Alabama leads the nation in using its funds wisely and in building new technical schools."

Recent feature stories in the Birmingham News point out the fact that employers have welcomed this program and are quite pleased with the skills developed.

However, our concern is not solely with providing trained personnel for industry. Desirable as that objective is, our primary concern is to improve the earning capacity of our citizens, white and Negro. As our state economy grows, all of our people profit and receive the benefits.

The same group who would destroy our social and educational order are the same hypocritical politicians who, for nearly a century, kept the South under a boot that prevented the economic expansion which comes from industrial growth.

These groups are not the friends of anyone.

People who claim to be liberal with these points of view are sick. They are enemies of all of us because they are enemies of freedom. They are enemies of this nation. They are crack-pot theorists and criminal mentalities.

There are those in high places in the national government who brag that the "deliberate lie" is only a part of the "weaponry of politics."

These are the people who have made Washington, D. C. the wire-tap capitol of the world. These are the people that have created a spy system and a secret police in the Department of Justice.

These are the people who destroyed the public school system in Washington, D. C. and in the major cities of this nation, and those who

seek to destroy it in the South today. They are the people who financed demonstrations in Birmingham and in other parts of this State and when confronted with the evidence by a grand jury were too cowardly to appear and reveal the total truth.

These are the people responsible for Little Rock and for Oxford. They are the human vermin who today infest Washington, D. C.

There is a repulsive stench rising from the shores of the Potomac. It is occasioned by the crime, the corruption, the moral decay, the debauchery, the drunken revelries, perversions, and moral degeneracy, commonplace in the Nation's capitol. It shocks the sensibilities of decent God-fearing people from coast to coast and boundary to boundary.

We can take heart. There is evidence of an increased spiritual awakening on the part of the American people. There is evidence everywhere of an intention to return to fundamental virtues and values that made this Nation great. The American people are disgusted and repelled by the callousness, the duplicity, the underhanded mealy-mouthed platitudes of politicians who would sell the birthright of this nation to be re-elected.

The United States Supreme Court must bear a large burden of the blame for the moral decay in Washington. It has set the example by its own callous disregard of the principles upon which this nation was founded and upon which it grew into greatness.

I believe the people want a return to the old fashioned virtues. In my campaign for Governor, I stated that my administration would be governed by the old fashioned virtues of honesty, efficiency, and economy, and I promised to reinstate these virtues on all levels of state government.

I pointed out that nearly everywhere there was evidence of the demoralizing effects of political plundering, loose ethics, waste and extravagance in the administration of government. The same can be said today with respect to the administration of federal government.

We will retain our freedom through preservation of local government. We must have strong, honest, efficient state government, free from waste, extravagance and political plundering. We are proud that this administration has abolished the whiskey agents.

You will recall that I said the liquor agency system which pays off political cronies of the Governor in liquor money would be abolished. This legislature, with administration sponsorship, enacted legislation requiring whiskey companies doing business in Alabama to purchase a license at a cost equal to the amount they pay their political agents and that revenues from such a tax would be earmarked for use of old age pensions, for the blind and mentally ill, and for education.

I am grateful to you for enacting legislation to make this possible.

To date, the revenue derived from the three percent tax levy upon sales of distillers and vintners doing business in Alabama has amounted to \$184,500. Very few companies were licensed in the year 1963 and the revenue in that year was relatively minor.

The majority of new companies were licensed in April and May of 1964 and based upon goods received from the new companies as of July 1, 1964, they owe the State of Alabama \$288,000. These companies will make their payments to the Department of Revenue as they are paid by the ABC Board. We can reasonably anticipate the total tax that will be received under this law for 1964 to be roughly \$672,000.

All of the new companies dealing with the State of Alabama in 1964 will be required to pay the same amount as they have paid during 1964 for a 1965 license. The old companies that remain with the State will be required to pay three percent on their 1964 business for a 1965 license and these companies will owe considerable amounts as their business was increased immensely during the 1964 year.

The ABC Board at the close of business on June 30, 1964 shows an increase in store sales for the nine months of this fiscal year, of \$2,762,950 over the same period of a year ago. They also show an increase in profits of \$1,652,000 which is a twelve percent increase over the same period of a year ago. The Board shows an increase in beer tax and license income of \$2,201,000 and a net income for beer tax and licenses of \$5,277,000 which is an increase of \$2,175,000 or seventy percent increase. This overall net profit for the nine months period is \$20,659,100 which is an increase of \$3,827,000 or twenty-two percent increase over the same period of last year.

These figures should put to rest all rumors to the effect that the State of Alabama will lose revenue earmarked for state services supported by the income from the whiskey tax.

I tell you today as I said when I ran for Governor, the liquor agent system is wrong. I am having nothing to do with it. The State is doing well on the system that we have. I am no expert on whiskey, but those who are knowledgeable on the subject assure me that the brands we have in the whiskey stores are good brands, many of which are comparable to anything that we have had in the past. The figures of gross sales and net earnings is evidence enough that stamping out the evil practice of paying off political debts with commissions on sales of whiskey to the State of Alabama is both wholesome and profitable to the State.

There are no loopholes in the law which would permit any company doing business in this State to avoid its tax liability. As a matter of practice the tax is collected from the companies at the time that the ABC Board pays the companies for their product.

Later the ABC Board might want to suggest some amendments to the law to facilitate administration. However, there is no loophole to correct and there is nothing needed in the way of legislation at this particular session.

Turning again to the matter of honesty and integrity and economy in state government, this administration has scrupulously followed our competitive bid laws. Our records on competitive bidding are public. You, the members of the Alabama Legislature, and the press are invited to examine these records at any time. Tremendous savings have been effected. Here is just one example.

When we said during my campaign that millions of dollars could be saved by preventing waste and extravagance in government some were inclined to scoff it off as merely political talk. However, in the purchase of such items as crushed stone, crushed slag, crushed and uncrushed gravel, liquid asphalt, and plant mix, we have been able to save during this administration to date, a total of \$1,474,000 in the purchase price of these items.

It is reliably estimated that these savings may total \$2,000,000 by end of the present year.

There is considerable savings yet to be effected in the administration of state government. When it is considered that state revenues approximate \$500 million from all sources, a mere one percent savings attributable to efficiency in operation would net the State \$5,000,000

which would be available for additional services. Is there any department of state government that cannot through more efficient methods, effect a one percent savings in the cost of its operation?

I have asked the Legislative Council to look into this subject and feel certain that they will have important recommendations for the Legislature at our next regular session.

A tremendous duty remains as we seek, together, to fulfill the destiny of the State of Alabama.

It will avail us little if Alabama prospers at the price of being reduced to a totalitarian status. Our people are not made of the stuff that bends the knee under the threat of oppression. We must continue to resist tyranny with every resource at our command.

This does not mean that we will tolerate violence and disregard of laws designed to maintain the peace and safety and tranquility of our respective communities. It does mean we shall resist tyranny by exposing it to the light of truth. It does mean that we shall utilize our intelligence, our organizational ability, and our resources in every conceivable way to halt the march toward the establishment of a centralized dictatorship in these United States.

We shall fight in the courts, and we shall fight in the arena of public opinion.

Our efforts will not bring victory overnight. We must engage in a long and determined fight—using every facility at our command. I personally intend to continue the fight as long as I have the human strength and resources to do so.

We shall rely upon education, upon truth, upon virtue, and upon the common sense of the American people. Truth will prevail.

We shall do all within our power to fulfill the highest duty and responsibility of all government and that is the protection of the life, the liberty, and the property of our citizens.

We are winning our fight to preserve our system of government.

This Alabama—this Legislature has a continuing duty to stand as a bulwark in behalf of constitutional government. Let us assume the mantle of leadership—let us act always as the guardian of the principles of our people—of our region—and of our nation.

No greater service can be rendered our people than to recognize our own innate leadership abilities and to exercise these abilities in the best interest of our country.

Our efforts will require vision, determination, courage, selflessness and a complete dedication to high principles. Let us move forward together with the knowledge that ultimate victory is ours.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

RECESS

On motion of Mr. Hawkins the House recessed until 3:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 3. Relative to Joint Session to hear His Excellency, the Governor.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Nichols and Mathews.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Appointing Committee to notify His Excellency, the Governor, that the Legislature is now in Session.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Mathews and Nichols.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 4. Mourning the death of Honorable W. L. (Doc) Martin.

McDOWELL LEE,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Brewer, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions, and ordered same returned to the House with a favorable report.

By Rules Committee:

H. J. R. 5. Memorializing Congress to propose an amendment to the Constitution of the United States relative to apportionment of state legislatures.

WHEREAS the U. S. Supreme Court has ruled recently that both houses of state legislatures must be elected on an equal population basis; and

WHEREAS the decision struck down the time-honored practice for each State to organize its own legislative body in that manner which will best serve the people of the particular State concerned; and

WHEREAS these decisions strike at the very heart of the type of representative government which existed in this country in the days of colonial government long before the adoption of the Constitution of the United States and from which the present organization in the Congress and the state legislatures was copied; and

WHEREAS this body does not believe that it is equitable or in the best interest of the people of the entire country to apply a different and more drastic formula for apportioning representatives of the various legislatures of the States than the U. S. Constitution specifies for both houses of the Congress; and

WHEREAS the only recourse the States and the people have in preserving some discretion as to how to balance the varied interests and geographical considerations within their boundaries is through action by the Congress; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the formula for determining the representation in the state legislatures should be sufficiently flexible to produce a legislative body reflecting the regional and local values which the State may deem appropriate; and

BE IT FURTHER RESOLVED That this body memorializes the Congress of the United States to give prompt consideration to proposing to the several States for ratification an amendment to the Constitution of the United States which will unequivocally empower a State, at its option, to achieve equality of representation in its legislative body by utilizing population in apportioning one house of its legislature and any criteria as in its wisdom may be in its individual best interest in apportioning the other house of its legislature, thereby permitting the States to retain the pattern of governmental structure which has withstood the test of time and has proven its merits both in the national government and in the States; and

BE IT FURTHER RESOLVED That the several other States are urged to join this State in this petition; and

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Speaker and Clerk of the House of Representatives of the United States, to the President and Secretary of the Senate of the United States and to the clerks and secretaries of the legislative bodies of all other States.

And H. J. R. 5 was adopted.

Also:

By Rules Committee:

H. J. R. 6. WHEREAS, on Monday, June 15, 1964, the Supreme Court of the United States handed down its decision in eight legislative apportionment cases from six states, including Alabama; and

WHEREAS, the Court declined to lay down specific standards for legislative apportionment, or to speculate as to the remedies available to the lower federal courts in the case of the failure of the legislature to act; and

WHEREAS the Court noted that a State might legitimately desire to consider insuring some voice to political subdivisions, as political subdivisions, or attempt to justify disparities from population based repre-

sentation on legitimate considerations incident to the effectuation of a rational state policy; and

WHEREAS the Alabama reapportionment cases are still pending on application for rehearing and the Legislature may yet have time to act on a constitutional apportionment at its 1965 regular session before any drastic action is taken by the special district court in which the cases are now being pressed; be it

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an interim committee shall be named to study this important matter and report its findings, conclusions, and recommendations to the two houses at the next regular session; that the committee shall consist of five members of the House, appointed by the Speaker, four members of the Senate, appointed by the President of the Senate, together with the Speaker and the President.

RESOLVED FURTHER, That the committee shall select a chairman and vice chairman from among their number, and shall hold such hearings, examine such witnesses, and conduct such studies as it considers necessary and proper in the performance of its duties. The members of the committee shall be entitled to their usual legislative compensation and expenses when engaged on committee business, which shall be paid from funds appropriated to the use of the Legislature on certificate of the committee chairman.

And H. J. R. 6 was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Mashburn, Engel, Smith, Downing, Nettles, Branyon, Hankins, Hogan, Edwards (Escambia), Rogers and Fite:

H. 1. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Ways and Means.

By Messrs. Davis, Salter, Paulk, Barnett, Jones (Covington), Turner (Crenshaw), Daniel, Turnham, Campbell (Tuscalooga), Snell, Burns, Avery, Callahan, Thomas, Jones (Monroe) and Nettles:

H. 2. To create the office of spiritual guidance counselor for state highway camps.

Judiciary.

By Mr. NeSmith:

H. 3. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

Local Legislation No. 1.

By Mr. NeSmith:

H. 4. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

Local Legislation No. 1.

By Mr. Paulk:

H. 5. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Local Legislation No. 1.

By Messrs. Merrill and Cornett:

H. 6. Relating to the pardon and parole of persons whose sentence to death has been commuted by the Governor to life imprisonment; repealing Act No. 804, S. 355, Regular Session 1951 (Acts 1951, p. 1401).

Judiciary.

By Messrs. Merrill and Cornett:

H. 7. Relating to the administration of pardons and paroles, providing for the waiver of certain notice, further amending Title 42, Section 16, Code of Alabama 1940.

Judiciary.

By Messrs. Merrill and Cornett:

H. 8. Relating to the administration of pardons and paroles, amending Title 42, Section 13, Code of Alabama 1940.

Judiciary.

By Messrs. Merrill and Cornett:

H. 9. To provide for time of trial or dismissal of charges pending against defendants or charges filed against defendants who are serving sentences in the penitentiary.

Judiciary.

By Messrs. Merrill and Cornett:

H. 10. To provide for conditional release of county prisoners; repealing conflicting laws.

Judiciary.

By Mr. Merrill:

H. 11. To authorize boards of registrars to hold such meetings, obtain such clerical help and supplies, receive such legal assistance, and take such actions, all subject to the approval of the State Sovereignty Commission, as may be necessary to prevent the registration, under court order or otherwise, of persons not qualified to vote under the laws of the State of Alabama, or by procedures contrary to the laws of the State of Alabama, and for related purposes.

Judiciary.

By Mr. Merrill:

H. 12. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies, telephone service and clerical assistance for boards of registrars.

Judiciary.

By Messrs. Meade, Campbell (Jackson) and Brewer:

H. 13. To provide for supplemental compensation of the Circuit Judges of all Judicial Circuits in this State composed of three (3) counties, with two (2) Circuit Judges, and having a total population of not less than 90,000 or more than 130,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such supplemental compensation out of the General Funds of the counties composing such Judicial Circuits.

Local Legislation No. 1.

By Mr. Heflin (with notice and proof):

H. 14. To alter, rearrange and extend the boundaries and corporate limits of the City of Clanton, in Chilton County, Alabama, so as to annex certain territory to the City.

Local Legislation No. 1.

Notice and Proof H. 14:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Clanton in Chilton County, Alabama, so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

(To be introduced during Special Session of Legislature. If Special Session is not called, to be inacted on during next regular session).

Section. 1. The boundaries and corporate limits of the City of Clanton in Chilton County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the city the following described territory in addition to the area now embraced within such boundaries and corporate limits to wit:

The NW¼ of NW¼, Section 3, Township 21, Range 14 East and the NE¼ of Section 4, Township 21, Range 14 East. All of the above lands lie in Chilton County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, Bob Tucker, Publisher of the CHILTON COUNTY NEWS, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in it's issues of: 30 day of January, 1964; 6 day of February, 1964; 13 day of February, 1964; 6 day of August, 1964.

BOB TUCKER,
Publisher.

Subscribed and sworn to before me this 6 day of August, 1964.

R. M. TUCKER,
Notary Public.

By Messrs. Casey, Ingram and Turner (Limestone):

H. 15. Proposing a constitutional amendment relative to an apportionment of the senate of the legislature of Alabama.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Casey:

H. 16. Proposing a constitutional amendment relative to an apportionment of the senate of the legislature of Alabama.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Cook and Bassett:

H. 17. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

Ways and Means.

By Mr. Cantrell (with notice and proof):

H. 18. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama

Local Legislation No. 1.

Notice and Proof H. 18:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

The Town Council of the Town of Littleville, Alabama, hereby gives notice that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama, be, and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said town all of the following described territory;

DESCRIPTION

Section 22, Township 5 Range 11 West in Colbert County, Ala.;
Section 23, Township 5, Range 11 West in Colbert County, Alabama;
Section 26, Township 5, Range 11 West in Colbert County, Alabama;
Section 34, Township 5, Range 11 West in Colbert County, Alabama;
the East $\frac{1}{4}$ of Section 27, Township 5, Range 11 West in Colbert County, Alabama.

Section 2. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

I hereby certify that the Legal Notice above was published in The VALLEY VOICE, Tuscumbia, Colbert County, Alabama for four consecutive weeks—July 31, 1963; August 7, 14 and 21, 1963.

/s/ CLINTON T. HOWELL
CLINTON T. HOWELL,
General Manager.

Subscribed and sworn to before me this the 31st day of July 1964.

/s/ ROBERT STANFORD,
Notary Public, State-at-Large.

(SEAL)

By Mr. Jones (Covington):

H. 19. To divide the state into congressional districts and provide for election of congressmen by districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

State Administration.

By Mr. Steagall (with notice and proof):

H. 20. RELATING TO THE SHERIFF OF DALE COUNTY, PROVIDING AN ALLOWANCE FOR EMPANELING GRAND JURIES.

Local Legislation No. 1.

Notice and Proof H. 20:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Dale County shall be allowed by the County Commissioners' Court to receive an amount not exceeding \$250.00 per month for impanelling grand juries, advertising, and attending all elections in his County, and for all other public services not otherwise provided for. The allowance provided for by this act shall be paid out of the County Treasury upon presentation to the County Commissioners Court of a verified account showing the items of service rendered, and shall be in lieu of the allowance of \$600.00 per annum for such services which is provided for by the Code of Alabama, 1940, Title 11, Section 34 as amended.

Section 2: All laws or parts of laws in conflict with this act are repealed.

Section 3: This act shall take effect on the first day of the month next following the date of its enactment.

STATE OF ALABAMA DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams, who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 11, 18 and 25, and July 2, 1964.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 3 day of August, 1964.

CELESTE A. WOODS,
Notary Public.

By Mr. Steagall (with notice and proof):

H. 21. RELATING TO DALE COUNTY, PROVIDING FOR THE APPOINTMENT OF DEPUTIES SHERIFF AND FOR THEIR COMPENSATION.

Local Legislation No. 1.

Notice and Proof H. 21:

LEGAL NOTICE

STATE OF ALABAMA
DALE COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Dale County may appoint such number of deputies in addition to his Chief Deputy as he may find necessary for efficient performance of the duties of his office, and the Court of County Commissioners, Board of Revenue, or other like governing body may provide for the payment of their compensation, in whole or in part, out of any funds of the County not otherwise appropriated.

Section 2. All laws or parts of laws in conflict with this act are hereby repealed.

Section 3: This act shall take effect on the first day of the month next following the date of its enactment.

STATE OF ALABAMA
DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams, who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 11, 18 and 25, and July 2, 1964.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 3 day of August, 1964.

CELESTE A. WOODS,
Notary Public.

By Mr. Steagall (with notice and proof):

H. 22. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697) entitled 'An Act Relating to Dale County; fixing the com-

pensation and providing an expense allowance for members of the county governing body.'

Local Legislation No. 1.

Notice and Proof H. 22:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697), entitled 'An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697), entitled "An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body," is hereby amended to read as follows:

"Section 1. Each member of the court of county commissioners, board of revenue, or like governing body of Dale County, except the chairman or other presiding officer, shall receive a salary of two thousand four hundred dollars (~~\$2,400.00~~) per annum, payable in equal monthly installments out of the county treasury. In addition, members of the governing body other than the chairman or other presiding officer shall each receive an allowance of One Hundred Seventy-Five Dollars per month, payable out of the county treasury, as reimbursement for expenses incurred by them in the performance of their duties as members of the county governing body. The compensation provided for herein shall be in lieu of all other compensation provided by law. The chairman or other presiding officer of the court of county commissioners, board of revenue, or like governing body of Dale County shall continue to receive the same compensation as the chairman or other presiding officer of county governing bodies under the general law."

Section 2. This Act shall become effective upon the expiration of the term or terms of the incumbent member or members whose term or terms first expire.

STATE OF ALABAMA DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams, who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 4, 11, 18, and 25, 1964.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 3 day of August, 1964.

CELESTE A. WOODS,
Notary Public.

By Messrs. Hain and Blanton:

H. 23. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

Local Legislation No. 1.

By Mr. Powell:

H. 24. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

Ways and Means.

By Mr. Powell:

H. 25. To apply only in counties having populations of not less than 28,000 nor more than 30,575, authorizing such counties to make certain temporary loans.

Local Legislation No. 1.

By Mr. Edwards (Escambia):

H. 26. To divide the state into congressional districts and provide for election of congressmen by districts; amending Code of Alabama 1940, Title 17, Sections 75, 425 and 426.

State Administration.

By Mr. Edwards (Escambia):

H. 27. To provide for congressional redistricting and for the election of representatives in Congress by districts.

State Administration.

By Mr. Nabors:

H. 28. Proposing an amendment to the Constitution of Alabama in relation to the eligibility of certain state officers to succeed themselves in office.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Nabors, Owens and Burns (with notice and proof):

H. 29. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the Town of Rainbow City, Etowah County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 29:

Notice is hereby given that at the next special or regular session of the Legislature of the State of Alabama, the undersigned will introduce a Bill in the Legislature as follows:

An act to alter, rearranged and extend the boundary lines of the City of Gadsden, Alabama in Etowah County, Alabama, so as to include

within the corporate limits of said city certain property therein set out and described.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Gadsden in Etowah County, Alabama, are hereby altered, rearrange and change so as to include within the corporate limits of said city all of the following described real estate located in Etowah County, Alabama, and specifically described by metes and bounds as follows, viz:

Beginning at the southeast corner of Wildwood Estates, according to the map or plat thereof as recorded in Plat Book "G", page 165 in the Probate Office of Etowah County, Alabama, and from thence run in a northerly direction along the east line of said Wildwood Estates a distance of 813 feet to the point of intersection with the northeast line of Lot 18 in said Wildwood Estates; thence in a northwesterly direction along the northeast line of Lots 18, 17 and 16 in said Wildwood Estates a distance of 432.80 feet to the northeast corner of said Lot 16; thence deflect an angle of 61 degrees 14' to the left and run in a southwesterly direction along the northwest line of Lot 15 in said Wildwood Estates a distance of 242.09 feet to the northwest corner of Lot 14 in said Wildwood Estates; thence in a southerly direction along the west line of said lot 14 a distance of 218.05 feet to a point; thence deflect an angle of 90 degrees to the right and run in a westerly direction along the north line of an area designated "Reserved" in said Wildwood Estates, a distance of 400 feet to a point; thence deflect an angle of 27 degrees 02' to the right and run in a northwesterly direction a distance of 187.06 feet to a point; thence deflect an angle of 27-degrees 02' to the left and run in a westerly direction a distance of 100 feet to a point in the east line of Silvey Street; thence in a southerly direction along the east line of Silvey Street a distance of 575.03' to point in the southwest corner of Lot 32 in said Wildwood Estates; thence in an easterly direction along the south lines of Lots 32, 31, 30 and 29 in said Wildwood Estates a distance of 400.91 feet to the northwest corner of Lot 28 in said Wildwood Estates; thence in a southerly direction along the west lines of said Lot 28 a distance of 34.83 feet to the southwest corner thereof; thence in a southeasterly direction along the southwest line of said Lot 28 and the said southwest line extended in a southeasterly direction to a point in the westerly line of Lot 26 in said Wildwood Estates; thence in a southerly direction along the westerly line of said Lot 26 to the southwest corner thereof; thence in an easterly direction along the south lines of Lots 26, 25, 24 and an area designated "Reserved" said Wildwood Estates to the point of beginning, all being in Etowah County, Alabama.

Section 2. All laws or parts of laws, both general, special or local in conflict with this act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon the passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. bookkeeper of The Gadsden Times, a newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of An act to alter boundary lines, which notice was printed in The Gadsden Times in its regularly circulated editions on Dec. 21, 28, 1963, Jan. 4, and 11, 1964, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 3 day of Aug., 1964.

I. B. SCRUGGS.

Subscribed and sworn to before me on this the 3 day of Aug., 1964.

WALTER BETZ,

Notary Public, Etowah County, Alabama.

By Messrs. Nabors, Owens and Burns (with notice and proof):

H. 30. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 30:

Notice is hereby given that at the next special or regular session of the Legislature of the State of Alabama, the undersigned will introduce a Bill in the legislature as follows:

An act to alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such copropate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Boundary lines of the City of Gadsden, Etowah County, Alabama, be, and the same are altered or rearranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Glencoe, Etowah County, Alabama as hereinbelow set out, all of which territory lying within the County of Etowah, State of Alabama and said additional territory being particularly described as follows, to-wit:

All of those portions of Lots Numbers Six (6), Seven (7) and Eight (8) in Block "8-A" and all of those portions of Lots Two (2), Three (3), Four (4) and Five (5) in Block "8-B" and all those portions of Bobby Royce Street according to the map or plat of John Miles Re-arrangement of Block 8 in Glenwood Addition to Gadsden and Glencoe, Alabama, recorded in Plat Book "G", Page 31 in the Probate Office of Etowah County, Alabama, which lie east of the present corporate limits of the City of Gadsden, Alabama.

Section 2. That the parcels of land set out in Section 1 of this act be, and the same are hereby included and embraced within the boundary of the City of Gadsden and shall be and constitute a part of the City of Gadsden, Etowah County, Alabama.

Section 3. That all laws and parts of laws both general, special, and local, in conflict with this Act be, and the same are hereby repealed.

Section 4. That this Act shall go into effect immediately upon its approval by the Governor.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of A bill to be enacted, which notice was printed in The Gadsden Times in its regularly circulated editions on June 6, 13, 20, and 27, 1964, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 31 day of July, 1964.

I. B. SCRUGGS.

Subscribed and sworn to before me on this the 31 day of July, 1964.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

By Messrs. Burns, Nabors and Owens:

H. 31. An Act providing further for the operation of the justices of peace and notaries ex officio justice of the peace of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; allowing justices of peace and notaries ex officio justice of peace jurisdiction in garnishment or attachment proceedings in any civil case.

Local Legislation No. 1.

By Mr. Branyon:

H. 32. Regulating the compensation of election officers in counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Branyon:

H. 33. To apply only in counties having populations of not less than 15,500 nor more than 16,300, relative to closing the office of officials in the courthouse.

Local Legislation No. 1.

By Mr. Branyon:

H. 34. Relating to counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

Local Legislation No. 1.

By Mr. Hester:

H. 35. Relating to counties having a population of not less than 21,988 nor more than 22,000; and fixing the salary to be paid a deputy

at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such a salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Local Legislation No. 1.

By Messrs. Avery, Davis, Cates, Barnett, Bevill, Scurlock, Branyon and Blanton:

H. 36. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Agriculture.

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property annexed to municipalities in such counties, and in newly incorporated areas.

Local Legislation No. 2.

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow (with notice and proof):

H. 38. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 38:

NOTICE

Notice is hereby given that at the next general or special session of the Legislature of ALABAMA application will be made to the Legislature that the following bill be enacted:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 19 of Act 333, Acts of Alabama 1953, approved August 17, 1953, is hereby amended so as to read as follows:

Section 19. Notices of the requirement of the attendance of jury service may be served by first class mail, or may be served as provided by Section 33, of Title 30, Code of Alabama, 1940. Should in the discretion of the Sheriff, the service be made by first class mail, such service shall be as follows: It shall be the duty of the Sheriff of the County to enclose the summons in an envelope addressed to the person to be served and place all necessary postage and a return address thereon with notice to the postal authorities not to forward outside of Jefferson

County, Alabama. In the event said jury summons is returned to the Sheriff by the Post Office Department of the United States without delivery the summons shall be by the Sheriff returned NOT FOUND. All jury summons not returned by said Post Office Department shall be considered for all purposes as sufficient personal and legal service. The provisions of this Section in reference to service by mail, however shall not apply to jury summons returnable before the Court instant, but such summons shall be served only as provided by Section 33 of Title 03, Code of Alabama of 1940.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of January 11, 18, 25, and February 1, 1964, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 3 day of February, 1964.

MILDRED M. GRIFFIN,
Notary Public.

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 39. To provide in all counties having a population in excess of 600,000 according to the last or any subsequent Federal decennial census that the Superintendent, Assistant Superintendent, or other like officer of the County Home, poor farm or alms house owned and operated by any such county shall be appointed and designated the guardian of all persons who are patients or inmates in the said institution and are unable for physical or mental reasons to reasonably manage or handle their own affairs. To provide for the expenditure of guardianship funds for services and treatment rendered said patient or inmate by such county home, poor farm or alms house. To further provide that said Superintendent, Assistant Superintendent or other like officer shall post a surety bond with the Probate Court and make partial settlements of his guardianship to the Probate Court. To provide for additional partial settlements when ordered by the Probate Court. To provide for final settlements upon any patient or inmate in the said institution, leaving said institution or upon the death of any such person. To provide for a final settlement on the death, retirement or removal of the said Superintendent, Assistant Superintendent, or other like officer.

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 40. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

Local Legislation No. 2.

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Vacca, Sessions, Hawkins, Bailes and Morrow:

H. 41. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

Local Legislation No. 2.

By Messrs. Vacca, Gilmore, Rast, Brown (Jefferson), Etheredge, Collins, Meeks, Perry, Bowers, Bethea (M), Sessions, Locke, Bethea (B), Hawkins, Bailes and Morrow:

H. 42. To authorize the governing body of any county having a population of 500,000 or more according to the last or any subsequent federal census to compensate any person for any injury to him or damage to his property by a motor vehicle operated by an employee of the county in the course of his employment were the governing body finds that the negligence of said employee was the proximate cause of such injury or damage, that the person who was injured or whose property was damaged was not guilty of any negligence proximately causing said injury or damage and that the circumstances of the injury or damage were such as to make compensation just and proper; and authorizing the county governing body to provide liability insurance for such purpose.

Local Legislation No. 2.

By Messrs. Rast, Brown (Jefferson), Collins, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Bethea (B), Hawkins, Bailes and Morrow:

H. 43. To amend SECTION 3 OF ACT NO. 695 OF THE 1951 LEGISLATURE.

Local Legislation No. 2.

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Bethea (B), Locke, Hawkins, Bailes and Morrow:

H. 44. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Local Legislation No. 2.

By Messrs. Rast, Brown (Jefferson), Etheredge, Dominick, Meeks, Collins, Perry, Vacca, Gilmore, Sessions, Morrow and Bethea (B):

H. 45. Relating to counties having a population of 600,000 or more; levying a special county tax upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board in such counties; providing for the collection of the tax, and for the distribution and use of the proceeds thereof.

Ways and Means.

By Messrs. Vacca, Perry, Rast, Brown (Jefferson), Etheredge, Collins, Bailes, Locke, Meeks, Gilmore, Dominick, Bethea (M), and Morrow (with notice and proof):

H. 46. To establish an inferior court in Precincts 9, 10, 21 and 42 in Jefferson County Ala. and in all other precincts lying within or partly within the City of Birmingham, Ala. except Precincts 29, 45 and 52 in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory and with concurrent jurisdiction with all other justices of the peace and inferior courts in the Birmingham Division of Jefferson County, Alabama, to define the jurisdiction and powers of said court, the judge, clerks and other officers thereof: to provide for a place of holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary.

Local Legislation No. 2.

Notice and Proof H. 46:

NOTICE

NOTICE. A bill will be introduced in the next session of the legislature, special or general, to establish an inferior court in precincts 9, 10, 21, 29, 42, 45 and 52 in Jefferson County, Ala., and in all other precincts lying within or partly within the City of Birmingham, Ala., in lieu of all Justices of the Peace in said precincts and in lieu of all notaries public with powers of Justices of the Peace, and in lieu of all other inferior courts created in lieu of Justices of the Peace heretofore created in said territory and with concurrent jurisdiction with all other Justices of the Peace and inferior courts in the Birmingham Division of Jefferson County, Ala., to define the jurisdiction and powers of said court, the judges, clerks and other officers thereof; to provide for places of holding said court, terms and salaries of said judges, the manner of their appointment and election.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler, who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of September 21, 28; Oct. 5, 12, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 14th day of October, 1963.

ANGIE CAMPISI,
Notary Public.

By Messrs. Perry, Rast, Brown (Jefferson), Etheredge, Collins, Meeks, Dominick, Bethea (M), Vacca, Gilmore, Sessions, Locke, Bailes, Hawkins, Morrow and Bowers (with notice and proof):

H. 47. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Local Legislation No. 2.

Notice and Proof H. 47:

LEGAL NOTICE

There will be introduced at the Alabama Legislature the following bill to become a Local Act:

A BILL
TO BE ENTITLED
AN ACT

To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix

the terms of tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Nov. 1, 8, 15, 22, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Hawkins, Bailes, Morrow and Bowers:

H. 48. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

Local Legislation No. 2.

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 49. TO PROVIDE FOR AND FIX THE SUM OF THREE HUNDRED DOLLARS PER MONTH AS AN ALLOWANCE FOR EXPENSES FOR THE MAYOR OR OTHER CHIEF EXECUTIVE OFFICER OF ANY CITY HAVING A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS FOR WHICH HE SHALL NOT BE REQUIRED TO FILE AN ACCOUNTING.

Local Legislation No. 2.

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Hawkins, Bailes, Morrow and Bowers:

H. 50. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Local Legislation No. 2.

By Messrs. Brown (Jefferson), Gilmore, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Sessions, Perry, Locke, Hawkins, Bailes, Morrow and Bowers (with notice and proof):

H. 51. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

Local Legislation No. 2.

Notice and Proof H. 51:

LEGAL NOTICE
OF THE INTENTION TO APPLY FOR THE PASSAGE OF
AN ACT

Notice is hereby given of the intention to apply to the Legislature of the State of Alabama at its next session, regular or special, for the passage of a law to amend Act 429 of the Acts of the Regular Session of 1949, Section XV, and to provide for and fix the salaries of members of the Commission or Board of Commissioners (including the President of such Commission or Board) of the City of Bessemer, Alabama, and to fix the time and regulate the mode of payment of such salaries; to provide further that in such municipality that the President of such Commission shall be and act and be constituted as the supervisor of the municipal electrical, light and power system and the municipal water system and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the President of such Commission for his services and as such supervisor out of the funds of the municipal light and power system and municipal water system; to provide that this act shall become effective on the 1st day of October, 1966.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Jan. 24-31-Feb. 7-14, 1964 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it

has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 3 day of Aug. 1964.

W. E. MILLER,
Notary Public.

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 52. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. Brown (Jefferson), Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Sessions, Perry, Locke, Bailes, Hawkins, Morrow and Bowers:

H. 53. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Local Legislation No. 2.

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Sessions, Locke, Bailes, Hawkins, Brown (Jefferson), Morrow and Bowers:

H. 54. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Local Legislation No. 2.

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Hawkins, Bailes, Morrow and Bowers:

H. 55. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Local Legislation No. 2.

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers (with notice and proof):

H. 56. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

Local Legislation No. 2.

Notice and Proof H. 56:

LEGAL NOTICE

THE STATE OF ALABAMA
JEFFERSON COUNTY

NOTICE is hereby given that a Bill will be introduced at the next Special or Regular Session of the Alabama Legislature for the passage of an ACT to increase the annual salaries of the Judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said Judges.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of November 16, 23, 30; Dec. 7, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 28th day of July, 1964.

ANGIE CAMPISI,
Notary Public.

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers (with notice and proof):

H. 57. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regular the payment of the salaries of said judge:

Local Legislation No. 2.

Notice and Proof H. 57:

LEGAL NOTICE

NOTICE is hereby given that a bill will be introduced in the next regular or special session of the Legislature of Alabama which will increase the compensation to be paid the Judge of the Jefferson County Criminal Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly

sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of November 16, 23, 30; Dec. 7, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 30th day of July, 1964.

ANGIE CAMPISI,
Notary Public.

By Messrs. Gilmore, Brown (Jefferson), Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Sessions, Perry, Locke, Hawkins, Bailes, Morrow and Bowers (with notice and proof):

H. 58. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Local Legislation No. 2.

Notice and Proof H. 58:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, is hereby amended to read as follows:

"Section 3. That said assistant to the Sheriff shall be paid an annual salary of eleven thousand dollars (\$11,000.00) to be paid out of the County Treasury as the salaries of other County employees are paid."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto at-

tached and made a part of this affidavit, and that the dates on which same was published were: Jan. 31st, Feb. 7-14-21, 1964 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 21st day of Feb. 1964.

W. E. MILLER,
Notary Public.

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Bailes, Morrow and Bowers:

H. 59. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 60. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. Vacca, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Gilmore, Brown (Jefferson), Sessions, Perry, Hawkins, Bailes, Morrow and Bowers:

H. 61. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

Local Legislation No. 2.

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Perry, Vacca, Gilmore, Brown (Jefferson), Sessions, Hawkins, Morrow and Bowers:

H. 62. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Local Legislation No. 2.

By Messrs. Brown (Jefferson), Gilmore, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Perry, Sessions, Locke, Hawkins, Bailes, Morrow and Bowers (with notice and proof):

H. 63. To amend Act. No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Local Legislation No. 2.

Notice and Proof H. 63:

LEGAL NOTICE

Notice is hereby given that a Bill in substantially the following form will be introduced in the next Regular or Special Session of Legislature of Alabama and an effort made towards the passage of same:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, P. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Be It Enacted by the Legislature of Alabama:

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: November 8, 15, 22, 29, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 64. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Local Legislation No. 2.

By Messrs. Brown (Jefferson), Gilmore, Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Sessions, Hawkins, Bailes, Morrow and Bowers (with notice and proof):

H. 65. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

Local Legislation No. 2.

Notice and Proof H. 65:

LEGAL NOTICE

Notice is hereby given that a Bill in substantially the following form will be introduced in the next Regular or Special Session of Legislature of Alabama and an effort made towards the passage of same:

A BILL TO BE ENTITLED AN ACT

To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer and to further provide for such office and the duties, authority and compensation for such office.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Nov. 22, 29, Dec. 6, 13, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

By Messrs. Rast, Collins, Etheredge, Dominick, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Perry, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 66. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Local Legislation No. 2.

By Messrs. Perry, Brown (Jefferson), Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Morrow and Bowers:

H. 67. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Local Legislation No. 2.

By Messrs. Perry, Rast, Brown (Jefferson), Etheredge, Collins, Meeks, Bowers, Vacca, Gilmore, Sessions, Locke, Hawkins, Bethea (B), Bailes and Morrow:

H. 68. TO AMEND ACT NO. 502 OF THE LEGISLATURE OF ALABAMA OF 1923. APPROVED SEPTEMBER 29, 1923. (GENERAL ACTS OF ALABAMA OF 1923, PAGE 663, ET SEQ.), AS RE-ENACTED BY ACT NO. 283 OF THE LEGISLATURE OF ALABAMA OF 1943, APPROVED JUNE 28, 1943, (GENERAL ACTS OF ALABAMA OF 1943, PAGE 241 ET SEQ.), AS HERETOFORE AMENDED.

Local Legislation No. 2.

By Messrs. Perry, Rast, Brown (Jefferson), Etheredge, Collins, Meeks, Bowers, Vacca, Gilmore, Sessions, Locke, Hawkins, Bethea (B), Bailes and Morrow:

H. 69. TO AMEND ACT NO. 929 OF THE LEGISLATURE OF ALABAMA OF 1951, APPROVED SEPTEMBER 12, 1951, ACTS OF ALABAMA 1951, PAGE 1579, ET SEQ., AS HERETOFORE AMENDED.

Local Legislation No. 2.

By Messrs. Perry, Rast, Brown (Jefferson), Etheredge, Collins, Meeks, Bowers, Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 70. TO AMEND ACT NO. 556, OF THE LEGISLATURE OF ALABAMA OF 1959, APPROVED NOVEMBER 19, 1959, ACTS OF ALABAMA OF 1959, PAGE 1376 ET SEQ.

Local Legislation No. 2.

By Messrs. Etheredge, Rast, Brown (Jefferson), Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Bailes, Hawkins and Morrow:

H. 71. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Local Legislation No. 2.

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 72. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

Local Legislation No. 2.

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Hawkins, Bailes and Morrow:

H. 73. TO APPLY IN AND ONLY IN EACH CITY IN THIS STATE HAVING A POPULATION OF 300,000 OR MORE, ACCORDING TO THE LAST OR ANY SUBSEQUENT DECENNIAL FEDERAL CENSUS; TO PROVIDE FOR THE CREATION OF THE OFFICE OF CITY MAGISTRATE AND THE APPOINTMENT OF CITY MAGISTRATES: TO DEFINE THE QUALIFICATIONS, POWERS AND DUTIES OF CITY MAGISTRATES; AND TO PROVIDE FOR SEARCH WARRANTS AND WARRANTS OF ARREST.

Local Legislation No. 2.

By Messrs. Etheredge, Rast, Brown (Jefferson), Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bethea (B), Bailes and Morrow:

H. 74. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Local Legislation No. 2.

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Morrow, Sessions, Locke, Bethea (B), Hawkins and Bailes (with notice and proof):

H. 75. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Local Legislation No. 2.

Notice and Proof H. 75:

NOTICE

Notice is hereby given that at the next general or special session of the Legislature of ALABAMA application will be made to the Legislature that the following bill be enacted:

A BILL
TO BE ENTITLED
AN ACT

To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Jefferson County, Alabama.

Section 2 (a). Subject to the conditions specified in subsection (c) below, in each criminal case, quasi criminal case, proceeding on a forfeited bail bond in the Circuit Court or in each criminal case in any statutory inferior court in Jefferson County, Alabama, there shall be taxed a witness fee of One (\$1.00) Dollar for each deputy sheriff subpoenaed in any such case.

(b) Subject to the conditions specified in subsection (c) below, such witness fee shall be collected by the clerks of the Courts, and the total of such fees, collected on account of any one deputy sheriff on the same day, only the sum of One (\$1.00) Dollar shall be paid to the said deputy sheriff witness, and the balance of said witness fees collected on said cases on account of deputy sheriff witnesses shall be paid monthly to the Treasurer of the County for the use of and benefit of the retirement fund of the retirement system established by Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, General Acts of Alabama of 1953, page 766, et seq. until the benefits are being paid from the said retirement fund at the maximum rates provided for by said Act No. 551, and thereafter the aforesaid balance of said witness fees shall be paid monthly to the Treasurer of said County for the use of and benefit of the retirement fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, page 1250, et seq.

(c) In those cases where the defendant is required to serve time in lieu of payment of costs, no witness fee on account of said deputy sheriff shall be collected and such witness fees that shall be paid into either of

the retirement funds above mentioned shall be limited to two witness fees in any one case.

Section 3. If any part of this Act shall be held invalid, such holding shall not affect the validity of the remaining parts of the said Act.

Section 4. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of January 11, 18, 25, and February 1, 1964, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 3 day of February, 1964.

MILDRED M. GRIFFIN,
Notary Public.

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Brown (Jefferson), Perry, Bowers, Bailes, Bethea (M), Gilmore and Morrow:

H. 76. TO PROVIDE THAT THE GOVERNING BODY OF ANY CITY IN THE STATE HAVING A POPULATION OF 300,000 INHABITANTS SHALL HAVE THE POWER AND AUTHORITY BY ORDINANCE TO GRANT MEMBERS OF SUCH GOVERNING BODY MONEY FOR EXPENSES NOT EXCEEDING \$11,000 PER YEAR FOR ANY FISCAL YEAR OF SUCH CITY.

Local Legislation No. 2.

By Messrs. Gilmore, Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Sessions, Locke, Bethea (B), Hawkins, Bailes, and Morrow:

H. 77. To authorize the County Board of Education of any county having a population of 500,000 or more according to the last or any succeeding federal decennial census to name school buildings in honor of living persons.

Local Legislation No. 2.

By Mr. Bethea (M):

H. 78. Relating to motor vehicles; requiring periodic inspection of motor vehicles to determine whether they may be safely operated upon the highways, fixing the fee therefor, and prohibiting the operation of unsafe vehicles; directing the Department of Public Safety to appoint state inspectors and otherwise administer and enforce the provisions of this Act; and prescribing penalties for violations of this Act.

Transportation.

By Mr. Bethea (M):

H. 79. To divide the state into congressional districts and provide for election of congressmen by districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

State Administration.

By Messrs. Perry, Bailes, Morrow, Dominick, Meeks, Bethea (M), Bethea (B), Etheredge, Hawkins, Bowers, Vacca, Edington, Downing, Fields, Smith and Collins:

H. 80. To fix the number of senators and redivide the state into senatorial districts; amending further Code 1940, Title 32, Section 2.

Constitution and Elections.

By Messrs. Bailes, Perry, Rogers, Etheredge, Collins, Sullivan, Dominick, Rast, Meeks, Bowers, Vacca and Sessions:

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

Business and Labor.

By Messrs. Etheredge, Brown (Jefferson) and Rast:

H. 82. Relating to state revenue; further prescribing deduction of certain charitable contributions or gifts in computing individual and corporate state income tax liability.

Ways and Means.

By Messrs. Etheredge, Brown (Jefferson) and Rast:

H. 83. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Ways and Means.

By Messrs. Vacca, Gilmore, Bowers and Sessions:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

Ways and Means.

By Messrs. Vacca, Gilmore, Bowers and Sessions:

H. 85. To provide further for the custody in prison of sex offenders, requiring their segregation, prescribing penalties.

Judiciary.

By Messrs. Collins, Bailes, Cates, Gilmore, Fite, NeSmith, Rogers, Bowers, Pierce, Turner (Crenshaw), Thomas, Cornett, Nabors, Owens, Hawkins, Bethea (B), Perry and Rast:

H. 86. Prescribing further penalties for certain assaults, and assaults and batteries.

Judiciary.

By Messrs. Collins, Bailes, Cates, Gilmore, Fite, NeSmith, Rogers, Bowers, Pierce, Turner (Crenshaw), Thomas, Cornett, Nabors, Owens, Hawkins and Bethea (B):

H. 87. To regulate traffic in obscene publications, motion pictures, pictures, and certain other obscene objects; and prescribing penalties.

Judiciary.

By Messrs. Collins, Bailes, Cates, Gilmore, Fite, NeSmith, Rogers, Pierce, Bowers, Turner (Crenshaw), Thomas, Cornett, Nabors, Owens, Hawkins, Perry, Rast and Bethea (B):

H. 88. To make it unlawful to entice children for immoral purposes or for the purpose of committing assaults; and prescribing penalties for violations of the Act.

Judiciary.

By Messrs. Collins, Bailes, Cates, Gilmore, Fite, Bowers, NeSmith, Rogers, Pierce, Turner (Crenshaw), Thomas, Cornett, Nabors, Owens, Hawkins, Perry, Rast and Bethea (B):

H. 89. To make it unlawful to contribute to the delinquency of children; prescribing penalties.

Judiciary.

By Messrs. Collins, Bailes, Cates, Bowers, Fite, Gilmore, NeSmith, Rogers, Pierce, Turner (Crenshaw), Bethea (B), Thomas, Cornett, Owens, Nabors, Hawkins, Perry and Rast:

H. 90. Relating to offenses against children; to make it unlawful to any man indecently to expose his sexual organs or private parts in the presence or sight of any child under the age of 14; and to fix the punishment therefor.

Judiciary.

By Messrs. Brown (Jefferson), Vacca, Morrow and Bailes:

H. 91. To amend Sections 773 and 778 of Title 37, Code of Alabama, relating to the publication of zoning ordinances; providing that any zoning ordinance heretofore published in accordance with the provisions of this Act shall be deemed to have been lawfully published.

Ways and Means.

By Messrs. Brown (Jefferson), Etheredge, Vacca, Locke, Morrow, Rast and Bailes:

H. 92. TO PROVIDE THAT ANY CITY OR TOWN IN THE STATE HAVING A COMMISSION FORM OF GOVERNMENT MAY COME WITHIN AND BE GOVERNED BY THE PROVISIONS OF THIS ACT UPON THE ADOPTION AND PUBLICATION OF AN ORDINANCE BY THE GOVERNING BODY THEREOF ELECTING SO TO DO; TO PROVIDE THAT THE MEMBERS OF THE GOVERNING BODY SERVING AT THE TIME OF THE ADOPTION OF SUCH ORDINANCE SHALL CONTINUE TO SERVE UNTIL THE QUALIFICATION OF THEIR SUCCESSORS; TO PROVIDE THAT ALL LAWS, ORDINANCES, RESOLUTIONS, AND APPOINTMENTS IN FORCE WHEN THE MUNICIPALITY COMES UNDER THIS ACT SHALL REMAIN IN FORCE UNTIL REPEALED OR ALTERED; TO PROVIDE FOR THE ELECTION AND TERM OF OFFICE OF COMMISSIONERS; TO ESTABLISH THE QUALIFICATIONS OF CANDIDATES FOR COMMISSIONERS POSITIONS; TO PROVIDE FOR THE DISTRIBUTION OF THE POWERS OF THE MUNICIPALITY AMONG THE COMMISSIONERS; TO PROVIDE FOR MEETINGS OF THE BOARD OF COMMISSIONERS AND THE MANNER OF ADOPTING ORDINANCES AND RESOLUTIONS; TO PROVIDE THAT NO FRANCHISE, LEASE OR RIGHT SHALL BECOME EFFECTIVE UNTIL THIRTY DAYS AFTER THE GRANTING THEREOF; TO PROVIDE FOR THE ELECTION OF A RECORDER; TO REQUIRE THE POSTING OF A BOND BY COMMISSIONERS; TO PROHIBIT COMMISSIONERS FROM HOLDING OTHER PUBLIC OFFICES; TO PROHIBIT ANY COMMISSIONER, OFFICER OR EMPLOYEE OF THE MUNICIPALITY FROM HAVING ANY INTEREST IN ANY CONTRACT WITH THE MUNICI-

PALITY; TO BAR PERSONS RELATED TO ANY COMMISSIONER FROM HOLDING PUBLIC OFFICE; TO PROVIDE PUNISHMENT FOR VIOLATION OF SUCH PROHIBITIONS; TO REQUIRE THE PUBLICATION OF FINANCIAL REPORTS OF THE MUNICIPALITY; TO PROVIDE FOR THE FILLING OF ANY VACANCIES THAT MAY OCCUR IN THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE SALARIES OF COMMISSIONERS AND OTHER DISBURSEMENTS OF THE MUNICIPALITY; TO PROVIDE THAT MEETINGS OF THE BOARD OF COMMISSIONERS SHALL BE OPEN TO THE PUBLIC; TO PROVIDE A MANNER FOR CHANGING THE FORM OF GOVERNMENT OF THE MUNICIPALITY; TO PROVIDE FOR THE PRESENTATION OF A PETITION CALLING FOR THE RESIGNATION OF A COMMISSIONER, AND TO ESTABLISH REQUIREMENTS FOR THE SIGNING THEREOF; TO PROVIDE A FEE FOR THE JUDGE OF PROBATE FOR EXAMINING SUCH PETITION; TO PROVIDE A PENALTY FOR VIOLATION OF THE RESTRICTIONS ON SIGNING SUCH A PETITION; TO PROVIDE FOR AN ELECTION TO RECALL A COMMISSIONER AND FOR THE ELECTION OF HIS SUCCESSOR; AND TO STATE THE METHOD FOR ASCERTAINING QUALIFIED VOTERS IN MUNICIPALITIES SITUATED IN MORE THAN ONE COUNTY.

Ways and Means.

By Messrs. Locke, Perry, Meeks, Morrow, Bethea (B.), Etheredge, Dominick, Bethea (M.), Bowers and Rast:

H. 93. TO ADOPT AND APPROVE, IN ALL COUNTIES OF 500,000 OR MORE BY LAST DECENNIAL CENSUS, BY SECTION, TITLES AND ARTICLES THE 1940 CODE OF ALABAMA AS RECOMPILED, WITH STATED EXCEPTIONS.

Local Legislation No. 2.

By Mr. Hankins (with notice and proof):

H. 94. Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

Local Legislation No. 1.

Notice and Proof H. 94:

STATE OF ALABAMA COUNTY OF LAMAR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar county by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Director of the Department of Conservation is hereby authorized and empowered to promulgate rules and regulations authorizing the taking, catching or killing of non-game fish from the public waters of Lamar County by the use of wire baskets having a mesh of one inch or more, provided, however, that the Director of the Department of Conservation shall only promulgate such a regulation upon the written petition of the state representative and state senator from Lamar County.

Section 2. Any person desiring a license to fish with such wire basket in areas where they may be legalized by regulation, as provided for above, may apply to the probate judge or other appropriate licensing authority in Lamar county and shall pay a privilege license tax of one dollar (\$1.00) for each wire basket with which he proposes to fish. The judges of the probate, license commissioners or other persons authorized and designated to issue fishing license shall be entitled to a fee of fifteen cents for each license so issued, which fee shall be in addition to the amount designated in this Act as the cost of such license.

The revenue derived from the sale of the license provided for in this Act shall be remitted to the Department of Conservation on the first day of each month by the issuing officer and shall be covered into the state treasury to the credit of the game and fish fund.

Section 3. It shall be illegal for any person to obtain more than four (4) such licenses or fish with more than four (4) such baskets.

Section 4. Any basket or baskets that may become legal for use in the waters of the county under the provisions of this Act shall be clearly marked with the name of the licensee operating, using and owning said basket and the license number of said basket.

Section 5. All wire baskets not marked in accordance with the provisions of the preceding section shall be destroyed upon discovery by any officer, agent or employee of the Department of Conservation.

Section 6. Only non-game fish may be taken, captured or killed by means of any basket that may become legal for use in this county under the provisions of this Act. All game fish taken in such baskets shall immediately be returned to the waters from whence taken with the least possible harm.

Section 7. The licenses provided for in this Act shall not be sold to any person holding a commercial fishing license or engaged in the business of commercial fishing, and it shall be unlawful for any person holding a wire basket license or using a wire basket under the provisions of this Act to sell or offer for sale any fish within or without this county. (It is the specific intent of this Act to allow the use of wire baskets to catch fish for personal consumption only.)

Section 8. It shall be illegal for any person to raise, inspect or take fish from any wire basket that may be legalized under the provisions of this Act unless such person shall hold in his name and have in his possession the license for the particular basket he is raising, inspecting or from which he is taking fish. Nothing in this section shall prevent the raising of such baskets for inspection by any officer, agent or employee of the Department of Conservation.

Section 9. Any person who violates the provision of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25. In addition, all basket licenses for such person shall be revoked, and no other such licenses shall be issued to him until the expiration of a period of 3 years from the date of such conviction.

Section 10. All laws or parts of laws, general, local or special, in conflict with this Act are hereby repealed.

Section 11. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 23 and 30, Feb. 6 and 13, all in the year 1964.

JACK HANKINS.

Sworn to and subscribed before me 4th day of August, 1964.

JULIA C. LOONEY,
Notary Public, State at Large.

By Mr. Hankins (with notice and proof):

H. 95. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 95:

LEGAL NOTICE

STATE OF ALABAMA LAMAR COUNTY

Notice is hereby given, that at the next special or regular session of the Legislature of the State of Alabama, I intend to introduce a bill in the House of Representatives in substantially the following form:

AN ACT

To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Sulligent, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The NW $\frac{1}{4}$ of NW $\frac{1}{4}$, the S $\frac{1}{2}$ of NW $\frac{1}{4}$, the N $\frac{1}{2}$ of SW $\frac{1}{4}$, the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28; the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 29;

the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30; the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 31; the NE $\frac{1}{4}$, the NW $\frac{1}{4}$, the W $\frac{1}{2}$ of SW $\frac{1}{4}$, the N $\frac{1}{2}$ of SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32; the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 33, all in Township 13 South of Range 15 West, and the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 4, of Township 14 South, Range 15 West, Huntsville Meridian, in Lamar County, Alabama.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1964.

JACK HANKINS.

Sworn to and subscribed before me August 4th, 1964.

JULIA C. LOONEY,
Notary Public, State at Large.

By Mr. Hankins:

H. 96. Regulating the compensation of election officers in counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Hankins:

H. 97. To apply only in counties having populations of not less than 13,700 nor more than 14,300, relative to closing the office of officials in the courthouse.

Local Legislation No. 1.

By Mr. Hankins:

H. 98. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Hannah and Boston (with notice and proof):

H. 99. To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

Local Legislation No. 1.

Notice and Proof H. 99:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Florence, in Lauderdale County, are hereby altered, rearranged, and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

A tract or parcel of land lying in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 47, Township 2 South, Range 11, West, described as beginning at a point on the present city limits of Florence, Alabama, said point being 510 feet east of the southwest corner of SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 27, thence north along said city limits 815.7 feet to the south line of Forest Hills Subdivision, said point also being the north line of Block 5 of Alexander Heights, 23 feet east of the northwest corner of Lot 3 of said Block 5, thence west 1193 feet, thence south along the west line of Harold Avenue 815.7 feet to the south line of Wright Drive, also being the south line of Section 27, thence east 1193 feet to the point of beginning, and being all of Blocks 1 and 2 and part of Blocks 3 and 5 of Alexander Heights, according to the plat of said subdivision recorded in the office of the Judge of Probate of Lauderdale County, Alabama, in Plat Book 3 on page 81; containing in all 23.2 acres more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared James P. Miller, who, being first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 16, Dec. 23, Dec. 30, 1963, and Jan. 6, 1964.

JAMES P. MILLER.

Sworn to and subscribed before me July 31, 1964.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

By Messrs. Hannah and Boston (with notice and proof):

H. 100. Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

Local Legislation No. 1.

Notice and Proof H. 100:

STATE OF ALABAMA

COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other taxes imposed by law, every person, firm, or corporation who sells, stores, delivers, uses or otherwise consumes cigarettes, or cigars in Lauderdale County shall pay a privilege, license or excise tax in the following amounts:

(a) Two cents (\$.02) for each package of cigarettes, made of tobacco or any substitute therefor.

(b) One cent (\$.01) for each cigar of any description made of tobacco or any substitute therefor.

Provided, however, when the license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes and cigars such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes and on each cigar.

Section 2. Every person, firm, corporation, club, or association that sells or stores or receives for the purpose of distribution in Lauderdale County any cigarettes or cigars shall add the amount of the license or privilege tax levied and assessed herein to the price of the cigarettes and cigars, it being the purpose and intent of this provision that the tax levied is, in fact, a levy on the consumer with the person, firm, corporation, club or association, who sells or stores or receives for the purpose of distributing the cigarettes or cigars, acting merely as agent for the collection of the tax. The dealer, storer, or distributor shall state the amount of the tax separately from the price of the cigarettes and cigars on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes and cigars. It shall be unlawful for any dealer, storer or distributor engaged in or continuing in the county in the business for which the tax is hereby levied to fail or refuse to add to the sales price and collect from the purchaser the amount due on account of the tax herein provided or to re-

fund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm, corporation, club or association violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail for not more than sixty days or by both such fine and imprisonment. Each act in violation of this section shall constitute a separate offense.

Section 3. The tax herein levied shall be paid through the use of stamps in denominations of the amount of tax to be affixed to the box, package, or container from or in which the products are normally sold at retail. The court of county commissioners, board of revenue, or other like governing body of the county shall allow discounts on the sale of stamps to any wholesaler or jobber qualified as such with the governing body at the rate of ten per cent (10%). The tax shall be collected and enforced, and shall be administered by such office or officer of Lauderdale County as may be designated by the court of county commissioners, board of revenue, or other like county governing body, in accordance with such rules, regulations, or orders as such county governing body may prescribe. The court, board or like governing body shall adopt necessary rules and regulations governing the collection and enforcement of the tax, and may prescribe penalties for violations thereof. Rules, regulations, and orders adopted or promulgated pursuant to this section shall have the force and effect of law. Whoever wilfully violates any such rule, regulation or order is guilty of a misdemeanor.

Section 4. The proceeds of the tax hereby levied, less cost of collection, including any discount allowed on the sale of stamps, shall be distributed as follows: Seventy-five per cent (75%) thereof shall be paid to the Lauderdale County Board of Education and shall be used exclusively for payment of salaries of employees of the board; twenty-five per cent (25%) shall be paid in to the general fund of the board of education of the City of Florence.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective 30 days after passage by the Legislature and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared James P. Miller, who, being first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 16, Dec. 23, Dec. 30, 1963, and Jan. 6, 1964.

JAMES P. MILLER.

Sworn to and subscribed before me July 31, 1964.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

By Messrs. Hannah and Boston:

H. 101. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Local Legislation No. 1.

By Messrs. Hannah and Boston (with notice and proof):

H. 102. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Local Legislation No. 1.

Notice and Proof H. 102:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Inferior Court created by Act dated September 15, 1961, is hereby abolished.

Section 2. All cases now pending in said Lauderdale County Inferior Court hereby abolished shall be transferred to the court created by this Act, together with all papers and judgment entries pertaining to said cases, and further proceedings thereon had in said court as if such case or cases had originated therein.

Section 3. There is hereby established a court in and for said county which shall be called and known as Lauderdale County Court. The Lauderdale County Court shall not be considered a court of record.

Section 4. The court established by this Act shall have civil jurisdiction in cases at law in which the matter in controversy does not exceed Five Hundred (\$500) Dollars, exclusive of interest, attorney's fees, and costs, said jurisdiction to be concurrent with the jurisdiction of any other court in the county having jurisdiction in such cases.

Section 5. The court established by this Act shall have original criminal jurisdiction of all misdemeanors committed in Lauderdale County and all peace proceedings commenced in said county; and it shall have preliminary jurisdiction of all felony, bastardy, and peace proceedings cases and of all other criminal and quasi-criminal proceedings cognizable in justice of peace courts and of all cases arising under Article 3, Chapter 4, Title 34, Code of Alabama, 1940.

Section 6. In all criminal cases in this court hereby established, wherein justices of the peace had jurisdiction prior to October 1, 1961, there shall not be charged a solicitor's fee. In all other criminal cases solicitor's fees shall be taxed and collected as provided for under the general laws of the State of Alabama for criminal cases.

Section 7. The judge of the Lauderdale County Court must be a resident and qualified elector of Lauderdale County, admitted to the practice of law in the State of Alabama and not less than 30 years of age. The county governing body shall, immediately after this Act becomes effective, and at such times as a vacancy may occur, appoint a qualified person to serve as judge of the Lauderdale County Court until his successor is elected and qualified as herein provided. A judge of the court shall be elected by the qualified electors of Lauderdale County at the general election in November 1964, and every six years thereafter. He shall hold office for a term of six years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. The judge shall be entitled to carry on a general practice of law; provided, however, that he shall not act as attorney in any matter previously heard in this court nor shall he practice criminal law in any court in Lauderdale County, Alabama.

Section 8. The judge of the Lauderdale County Court shall receive a salary which shall be fixed by the county governing body of Lauderdale County, but in no event shall such salary be more than Eighty-four Hundred (\$8,400) Dollars per annum nor less than Seventy-Eight Hundred (\$7,800) Dollars per annum, payable in equal monthly installments out of the general fund of Lauderdale County, Alabama, upon warrant of the Probate Judge of Lauderdale County. The Probate Judge is hereby authorized and directed to issue such warrants monthly.

Section 9. The Circuit Court Clerk of Lauderdale County shall be ex-officio clerk of the Lauderdale County Court. Said Clerk shall have the power to issue search warrants and shall also have all the powers and authority, both ministerial and judicial, which are now or which may hereafter be vested in the Clerk of the Circuit Court of Lauderdale County. Said clerk shall be entitled to fees in all civil causes as hereinafter set out in section 13 and in all criminal cases the clerk shall be entitled to the same fees, and shall be paid in the same manner as are now or may hereafter be allowed to ex-officio clerks of county courts, law and equity courts and courts of like jurisdiction under the general laws of the State of Alabama. The county governing body may require a bond of the clerk not to exceed Five Thousand (\$5,000) Dollars.

Section 10. The clerk of the Lauderdale County Court shall keep a docket book or books in which he shall make fair and accurate en-

tries of all causes brought before the court, and shall keep minutes of all the proceedings, including the service and return of process, the appearance of such parties as may appear, the fact of trial, the judgment, including damages, fine and sentence, with costs separately stated, the issuing of execution and to whom issued, with the date thereof and the return thereon, and a memorandum of the items of all costs, including witness fees, which shall be in the same amount and paid in the same manner as now exists in the Circuit Court of Lauderdale County. The docket or a certified copy thereof shall be evidence of the matters therein stated.

The clerk shall also be under the duty to do any and all other acts necessary or incident to the efficient operation of the court created by this Act.

Section 11. Said court shall be in session continuously from day to day. Cases may be set for trial at any time. The clerk of said court shall keep and maintain a trial calendar and the placing of any case on said trial calendar with the date of trial shall be notice to all persons.

Section 12. (a) A civil action shall be commenced by the filing of a statement of a claim, including the last known address of the defendant, in concise form and free from technicalities.

(b) A notice to appear shall be served on the defendant to which shall be attached a copy of the verified statement of claim, and such service shall be sufficient to give the court jurisdiction of the premises. The time for appearance shall be not more than ten days from the date of the service of said notice, after which time a hearing on the claim shall be had. All processes issued by the court shall be served by the Sheriff of Lauderdale County or by Registered or Certified mail with return receipt, or by any person not a party to or otherwise interested in the suit, especially appointed by the judge for that purpose. For the services of such processes, the Sheriff shall receive the same fees as are allowed by law to him for similar services performed in the Circuit Court.

(c) When notice is served by Registered or Certified mail, the clerk shall enclose a copy of the statement of claim, verification, if any there be, and notice in an envelope addressed to the defendant, at his last known address, prepay the postage and mail the same forthwith, noting on the record the day and hour of mailing. When the return receipt indicating that delivery has been made to the defendant is received, the clerk shall attach the same to the original statement of claim and it shall constitute prima facie evidence of service upon the defendant.

(d) When service is by a private individual, as above provided, he shall make proof of service by an affidavit, showing the time and place of service on the defendant.

(e) The plaintiff shall be entitled to a judgment by default, without further proof, upon failure of defendant to appear as ordered by the court. When the claim of the plaintiff is verified and for a liquidated amount damages may be assessed without further proof; when the amount is unliquidated, plaintiff shall be required to present proof of his damages.

Section 13. The clerk shall be allowed a fee of \$3.50 in all cases in which the matter in controversy does not exceed \$100.00, and in all cases in which the matter in controversy exceeds \$100.00, the clerk shall be allowed a fee of \$6.00; provided, however, that in all proceedings of garnishment, replevin, and attachment the fee allowable to the clerk

shall be \$7.00. In addition to all other costs, the clerk shall collect the sum of Fifty Cents (\$.50) per case library tax.

Section 14. (a) On the return day or within ten days thereafter, as the judge may designate, the trial shall be had. Immediately prior to the trial of any case, the judge shall make earnest effort to settle the controversy by conciliation. If the judge fails to induce the parties to settle their differences without a trial, he shall proceed with a hearing on the merits.

(b) The judge shall conduct the trial in such manner as to do substantial justice between the parties according to the rules of substantive law, and all rules and regulations relating to pleading, practice and procedure shall be liberally construed so as to administer justice.

(c) If the plaintiff fails to appear, the suit may be dismissed for want of prosecution, or defendant may proceed to a trial on the merits, or the case may be continued, as the judge may direct. If both parties fail to appear, the judge may continue the case, or order the same dismissed for want of prosecution, or may make any other just and proper disposition thereof as justice may require.

Section 15. The judge of said court shall forthwith from time to time make rules for a simple, inexpensive and speedy procedure to effectuate the purposes of this Act and shall have full power to prescribe, modify and improve the civil forms to be used therein, including forms of writs of attachment, garnishment and replevin. All rules and forms authorized by this section shall be effective upon approval of the presiding judge of the Circuit Court in which Lauderdale County is located.

Section 16. (a) Judgments of the Lauderdale County Court may be recorded in the same manner, under the same conditions and, when so registered, shall have the same effect as judgments in circuit courts.

(b) Upon judgment being entered in any cause, execution may thereupon be issued against the party against whom the judgment is rendered for the amount of such judgment and costs, and such execution shall be directed to any sheriff or constable of the State of Alabama, and shall be of full force throughout the State.

Section 17. Prosecution for misdemeanors committed in Lauderdale County may be commenced in this court by making an affidavit before the judge or clerk of said court, writ on said affidavit to be issued by the clerk and when the defendant is arrested on such affidavit, said cause shall go on the docket for trial, and be tried as though the defendant had been indicted by a grand jury. An amendment of the affidavit without the defendant's consent shall entitle the defendant to a continuance.

Section 18. There shall be no right to trial by jury in the Lauderdale County Court, either in civil or criminal cases.

Section 19. Appeals may be had to the Circuit Court of Lauderdale County from judgments returned in the Lauderdale County Court, in the same manner that appeals may be taken from judgments in justice of the peace courts, and all provisions of law which apply to and govern appeals from justice of the peace courts shall also apply to and govern appeals from the Lauderdale County Court.

Section 20. The county governing body shall furnish suitable quarters for the court hereby established and provide the necessary forms, books, records, stationery, equipment and supplies required for the efficient functioning of the court.

Section 21. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 22. All laws or parts of laws which conflict with this Act are repealed.

Section 23. This Act shall become effective on the first day of the month succeeding its passage into law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared James P. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 16, Dec. 23, Dec. 30, 1963, and Jan. 6, 1964.

JAMES P. MILLER.

Sworn to and subscribed before me July 31, 1964.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

By Mr. Turnham (with notice and proof):

H. 103. Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

Local Legislation No. 1.

Notice and Proof H. 103:

STATE OF ALABAMA COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lee County, the coroner shall be entitled to a monthly allowance of \$50 payable from the county treasury in lieu of mileage as prescribed in Code 1940, Title 11, Sections 94 and 95. However, such mileage fees as accrue to the coroner must be taxed, collected, and paid in the same manner that sheriff's fees for like services are taxed, collected, and paid, and when collected, shall be paid into the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 30, Nov. 6, Nov. 13, and Nov. 20, all in the year 1963.

W. C. WEAR, JR.

Sworn to and subscribed before me Nov. 21, 1963.

DOROTHY W. MITCHELL,
Notary.

By Mr. Turnham (with notice and proof):

H. 104. Relating to Lee County; fixing the pay of jurors, grand and petit.

Local Legislation No. 1.

Notice and Proof H. 104:

STATE OF ALABAMA COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lee County; fixing the pay of jurors, grand and petit.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lee County, regular jurors, grand and petit, are entitled to ten dollars for each day's service, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon it otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 30, Nov. 6, Nov. 13, and Nov. 20, all in the year 1963.

W. C. WEAR, JR.

Sworn to and subscribed before me Nov. 21, 1963.

DOROTHY W. MITCHELL,
Notary.

By Mr. Turnham:

H. 105. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 49,500 nor more than 50,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 106. To amend the title to and Sections 1 and 2 of Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

Ways and Means.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 107. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

Ways and Means.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 108. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

Local Legislation No. 1.

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 109. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the payment of the compensation of members and chairman of the county governing body.

Local Legislation No. 1.

By Messrs. Pennington, Jones (Covington), Baker (Madison), and Reynolds:

H. 110. To redivide the state into congressional districts and provide for the election of representatives in Congress by districts.

State Administration.

By Mr. Fite:

H. 111. To make an additional appropriation for payment of expenses of the Legislature.

Ways and Means.

By Messrs. Fite, Brewer, Turnham, Merrill, Albea, Camp, Bolton, Thomas, Drake, Salter, McCorquodale, Hain, Blanton, Owens, Nabors, Burns, Callahan, Reynolds, Baker (Madison), Cantrell, Beville, Scurlock, Brown (Jefferson), Nettles, Jones (Covington), Vacca, Brown (Tuscaloosa), Hawkins, Bailes, Collins, Sessions and Etheredge:

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Ways and Means.

By Messrs. Fite, Brewer, Cantrell, Turnham, Merrill, Albea, Camp, Bolton, Thomas, Drake, Salter, McCorquodale, Hain, Blanton, Owens, Nabors, Burns, Baker (Madison), Reynolds, Beville, Scurlock, Brown (Jefferson), Nettles, Jones (Covington), Vacca, Brown (Tuscaloosa), Hawkins, Bailes, Collins, Callahan, Sessions and Etheredge:

H. 113. To amend Act No. 92 adopted at the Second Special Session

of 1963 of the Legislature of Alabama to provide for the collection and distribution of the proceeds of the tax levied by the said act.

Ways and Means.

By Mr. Fite:

H. 114. To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

State Administration.

By Messrs. Downing, Rogers, Engel, McDermott, Smith, Hogan, Edington and Fields:

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

Local Legislation No. 3.

By Messrs. Engel, Edington, Fields and Rogers:

H. 116. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of the Clerk of the Circuit Court of such counties for the performance of ex officio services required of him by law.

Local Legislation No. 3.

By Messrs. Engel, Edington, McDermott, Rogers, Hogan and Fields:

H. 117. To regulate further the office of sheriff in counties having populations of more than 300,000 and less than 500,000, according to the last or any subsequent federal decennial census; to exempt sheriffs of such counties from liability for the acts of their deputies, except in certain cases.

Local Legislation No. 3.

By Messrs. Engel, McDermott, Rogers and Edington:

H. 118. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

Local Legislation No. 3.

By Messrs. Engel, McDermott, Rogers, Edington and Fields (with notice and proof):

H. 119. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

Local Legislation No. 3.

Notice and Proof H. 119:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

Be It Enacted by the Legislature of Alabama:

Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122), as amended, is amended further to read as follows:

"Section 6. The compensation of such Assistant Treasurer of Mobile County shall be not less than four thousand eight hundred dollars (\$4,800) per annum nor more than six thousand dollars (\$6,000) per annum, at the discretion of the County Treasurer, and shall be paid in monthly installments from the County Treasury of Mobile County."

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register Aug. 2, 9, 16, 23, 1963.

W. F. EGAN.

Sworn to and subscribed before me This 3 day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

By Messrs. Engel, McDermott, Rogers, Hogan, Edington and Smith:

H. 120. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

Local Legislation No. 3.

By Messrs. Engel, Edington and Hogan:

H. 121. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation for the Register of such counties for the performance of ex officio services required of him by law.

Local Legislation No. 3.

By Messrs. Engel, McDermott, Rogers, Hogan and Edington:

H. 122. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Local Legislation No. 3.

By Messrs. Engel, Edington, McDermott, Rogers, Hogan and Smith:

H. 123. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags, and by prescribing further penalties.

Local Legislation No. 3.

By Messrs. Engel and Hogan:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Local Legislation No. 3.

By Messrs. Engel, McDermott, Rogers, Hogan and Edington:

H. 125. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of members of the courts of county commissioners, county commissions, or like county governing bodies of such counties.

Local Legislation No. 3.

By Messrs. Engel, McDermott, Rogers, Hogan, Edington and Smith:

H. 126. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent Federal census.

Local Legislation No. 3.

By Messrs. Engel, McDermott, Rogers, Hogan, Edington and Smith:

H. 127. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act #315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Local Legislation No. 3.

By Messrs. Hogan and Engel:

H. 128. To amend Section 2, Act No. 218, H. B. 404, Regular Session 1963, an act relating to counties having populations of not less than 300,000 nor more than 500,000.

Local Legislation No. 3.

By Messrs. Rogers, Engel, Smith, Hogan, McDermott and Fields:

H. 129. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act N. 345, S. 291, 1955 Acts Vol. II, p. 783).

Local Legislation No. 3.

By Messrs. McDermott, Rogers, Engel, Hogan, Downing, Edington, Fields and Smith:

H. 130. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama, 1955, (Vol. I, p. 515), approved August 3, 1955, entitled "An

Act to provide further for the compensation of the Circuit Solicitor in circuits composed of one County and having not less than four nor more than nine Circuit Judges," as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. I, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940.

Local Legislation No. 3.

By Messrs. Rogers, Downing, Engel, Smith, Fields, Hogan, McDermott and Edington:

H. 131. To amend Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an Act relating to the office of License Commissioner in counties having populations of not less than 300,000 or more than 500,000.

Local Legislation No. 3.

By Messrs. Downing, Pierce, Turner (Crenshaw), Rogers, Engel, Mashburn, Smith, McDermott, Edington and Goodwyn:

H. 132. To amend Code of Alabama 1940, Title 29, Section 1, in relation to definitions of terms used in the ABC Act.

Ways and Means.

By Messrs. Rogers, Fields, Smith, Engel, Hogan, Little, Posey and McDermott:

H. 133. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2(b), Act No. 100, Second Special Session 1959.

Ways and Means.

By Messrs. Edington, Rogers, Downing, Fields, Hogan, McDermott, Smith and Engel:

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

Judiciary.

By Messrs. Engel, Meade, Pierce, Jones (Monroe), Turnham and Cornett:

H. 135. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

Ways and Means.

By Messrs. Engel, Hogan and McDermott:

H. 136. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event

shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Ways and Means.

By Messrs. McDermott and Edington:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

Local Legislation No. 3.

By Messrs. Rogers, McDermott, Hogan, Engel, Smith, Edington, Downing, Goldthwaite, Little and Pierce:

H. 138. Relating to taxation, providing certain exemptions from the state sales and use taxes.

Ways and Means.

By Messrs. Engel, McDermott, Rogers, Hogan, Edington, Fields, Downing and Smith:

H. 139. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Amendment CXCV to the Constitution of Alabama providing for the levy and collection by Mobile County of a special tax, not exceeding six mills on each dollar of taxable property in the County, for public hospital purposes.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Goodwyn, Little, Goldthwaite, Engel, Turnham, Thomas and Holladay:

H. 140. To authorize the investment of funds held by clerks of circuit courts or registers in chancery.

Judiciary.

By Messrs. Goodwyn, Little, Goldthwaite, Engel, Turnham, Thomas and Holladay:

H. 141. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Judiciary.

By Messrs. Goodwyn, Rast, Nabors, Brewer, Callahan, Perry, Campbell (Tuscaloosa), Hogan, McDermott, Downing, Rogers, Hawkins, Etheredge, Morrow, Brown (Jefferson), Dominick, Bethea (M) and Brown (Tuscaloosa):

H. 142. To authorize and require the expenditure of funds in the Public Welfare Trust Fund, created by Title 49, Section 17, Sub-section 27 of the Code of Alabama of 1940, to provide Juvenile Court probation-

ary services in all those counties in which Juvenile Court probationary service is not furnished by the State Department of Pensions and Security and to authorize the matching of funds with local counties employing Juvenile Court Probation Officers.

Ways and Means.

By Mr. Goodwyn:

H. 143. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Judiciary.

By Messrs. Goldthwaite, Pierce, Little and Rogers:

H. 144. Relating to elections; regulating further the conduct of persons on election days; prescribing penalties; providing for enforcement.

Constitution and Elections.

By Mr. Goodwyn:

H. 145. To amend Section 29 of Title 34 of the Code of Alabama of 1940:

Ways and Means.

By Messrs. Brewer and Slate:

H. 146. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000.

Local Legislation No. 1.

By Messrs. Brewer and Slate:

H. 147. To provide for the payment of an expense allowance for certain members of the board of revenue and control, court of county commissioners, or like governing body in every county having a population of not less than 57,000 nor more than 61,500 for expenses incurred in the performance of their duties.

Local Legislation No. 1.

By Messrs. Brewer and Slate (with notice and proof):

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Local Legislation No. 1.

Notice and Proof H. 148:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Decatur in Morgan County are hereby altered, rearranged, and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

A tract of land containing 51.66 acres lying in the E½ and the NE¼ of the NW¼ of Section 31, Township 5 South, Range 4 West, described as beginning at the southeast corner of Section 31, Township 5 South, Range 4 West, and running north along section line 3207.78 feet to a point on the westerly right of way line of the L & N Railroad; thence turning an angle of 171 degrees 11 minutes measured clockwise from back tangent and running northwesterly along said right of way line 23.38 feet to the true point of beginning; thence continuing northwesterly along said right of way line 765.41 feet to a point; thence turning a deflection angle of 81 degrees 11 minutes to the left and running west 2244.93 feet to a point; thence turning an angle of 90 degrees and running north 628.26 feet to a point; thence turning an angle of 85 degrees 27 minutes measured clockwise from back tangent and running westerly 431.16 feet more or less to the centerline of a public road; thence running southerly along the center line of said public road to an iron pin, said pin being the southeast corner of the NE¼ of the NW¼ of Section 31; thence running along quarter section line 756.37 feet to a point; thence turning an angle of 90 degrees 03 minutes measured clockwise from back tangent and running east 2676.23 feet to the true point of beginning.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1963.

/s/ B. C. SHELTON.

Sworn to and subscribed before me 15th August, 1963.

/s/ R. H. JERVIS,
Notary Public.

By Messrs. Brewer and Slate (with notice and proof):

H. 149. To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Local Legislation No. 1.

Notice and Proof H. 149:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the boundary lines of the Town of Trinity, In Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30, Township 5 South, Range 5 West; also That part of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying south of the Decatur-Moulton Highway, and that part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying south of the Decatur-Moulton Highway, all in Section 30, Township 5 South, Range 5 West; also A tract described as beginning at the northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 5 South, Range 5 West, and running thence north to a point 449 feet south of the north margin of said Section 19; thence west 212.42 feet; thence north 449 feet to the north margin of said section 19; thence east 212.42 feet; thence north to the southerly margin of the Southern Railroad Company right-of-way; thence southeasterly along the Southern Railroad Company right-of-way to the present City Limit line; thence south along the present City Limit line to the northerly margin of the SE $\frac{1}{4}$ of said Section 19; thence west along the northerly margin of said SE $\frac{1}{4}$ of said Section 19 to the point of beginning.

SECTION 2. This Act shall be effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 23rd, July 30th, August 6th, and August 13th, all in the year 1963.

/s/ B. C. SHELTON.

Sworn to and subscribed before me August 14th, 1963.

/s/ P. H. JERVIS,
Notary Public.

(SEAL)

By Mr. Bassett (with notice and proof):

H. 150. TO AMEND SECTION 2, OF ACT NO. 259, H. 507, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX ASSESSOR OF PIKE COUNTY.

Local Legislation No. 1.

Notice and Proof H. 150:

STATE OF ALABAMA
COUNTY OF PIKE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 259, H. 507, Regular Session 1951, an act providing a deputy for the tax assessor of Pike County.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 259, H. 507, Regular Session 1951, an act providing a deputy for the tax assessor of Pike County (Acts 1951, v. 1, p. 540) is hereby amended to read as follows:

"Section 2. That the salary of such deputy tax assessor shall be determined by the Court of County Commissioners of Pike County, Alabama in an amount not to exceed \$2,400 per year, and shall be payable in equal monthly installments from the general fund of said county."

STATE OF ALABAMA
PIKE COUNTY

Before me, Louise M. Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice To amend section 2 of act no 259, H, 507, Regular Session 1951 providing for a deputy for the Pike County Tax Assessor was published in said newspaper 4 times, the same appearing in the issues dated: July 10, 17, 24, 31, 1963.

M. F. BOISCLAIR,
Business Manager.

Sworn to and subscribed before me this the 3rd day of August, 1964.

LOUISE M. EMERSON,
Notary Public,
Pike County, Ala.

By Mr. Bassett (with notice and proof):

H. 151. TO AMEND SECTION 2, OF ACT NO. 258, H. 506, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX COLLECTOR OF PIKE COUNTY.

Local Legislation No. 1.

Notice and Proof H. 151:

STATE OF ALABAMA
COUNTY OF PIKE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 258, H. 506, Regular Session 1951, an act providing a deputy for the tax collector of Pike County.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 258, H. 506, Regular Session 1951, an act providing a deputy for the tax collector of Pike County (Acts 1951, v. 1, p. 539) is hereby amended to read as follows:

"Section 2. That the salary of such deputy tax collector shall be determined by the Court of County Commissioners of Pike County, Alabama, in an amount not to exceed \$2,400 per year, and shall be payable in equal monthly installments from the general fund of said county."

STATE OF ALABAMA
PIKE COUNTY

Before me, Louise M. Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice To amend section 2 of act no. 258, H. 506, Regular session 1951, providing a deputy for Pike County Tax Collector was published in said newspaper 4 times, the same appearing in the issues dated: July 10, 17, 24, 31, 1963.

M. F. BOISCLAIR,
Business Manager.

Sworn to and subscribed before me this the 3rd day of August, 1964.

LOUISE M. EMERSON,
Notary Public,
Pike County, Ala.

By Mr. Bassett (with notice and proof):

H. 152. TO AMEND SECTION 1 OF ACT NO. 332, H. 602, REGULAR SESSION 1961, AN ACT PROVIDING FOR A CLERK OF THE JUVENILE COURT OF PIKE COUNTY (ACTS 1961, V. 1, P. 358).

Local Legislation No. 1.

Notice and Proof H. 152:

STATE OF ALABAMA
COUNTY OF PIKE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 332, H. 602, Regular Session 1961, an act providing for a clerk of the juvenile court of Pike County (Acts 1961, v. 1, p. 358).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 332, H. 602, Regular Session 1961, an act providing for a clerk of the juvenile court of Pike County (Acts 1961, v. 1, p. 358) is hereby amended to read as follows:

"Section 1. The Court of County Commissioners of Pike County is hereby authorized to provide a clerk of the Juvenile Court of Pike County, to be appointed by and to hold office at the pleasure of the judge of said court, which clerk of the Juvenile Court may also serve as a probate clerk and who shall be entitled to receive a salary to be fixed by the Court of County Commissioners not to exceed \$2,400 per annum."

STATE OF ALABAMA
PIKE COUNTY

Before me, Louise M. Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice To ammend Sector 1 of act no. 332 H, 602, Regular session 1961, providing for a clerk of Juvenile Court, of Pike County was published in said newspaper 4 times, the same appearing in the issues dated: July 10, 17, 24, 31, 1963.

M. F. BOISCLAIR,
Business Manager.

Sworn to and subscribed before me this the 3rd day of August, 1964.

LOUISE M. EMERSON,
Notary Public,
Pike County, Ala.

By Mr. Bassett (with notice and proof):

H. 153. TO AMEND SECTION 2 OF ACT NO. 148, S. 185, REGULAR SESSION 1955, AN ACT PROVIDING FOR A DEPUTY CIRCUIT CLERK FOR PIKE COUNTY.

Local Legislation No. 1.

Notice and Proof H. 153:

STATE OF ALABAMA
COUNTY OF PIKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2, of Act No. 148, S. 185, Regular Session 1955, an act providing for a deputy circuit clerk for Pike County.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 148, S. 185, Regular Session 1955, an act providing a deputy clerk for the circuit clerk of Pike County (Acts 1955, v. 1, p. 394) is hereby amended to read as follows:

"Section 2. That the salary of such deputy circuit clerk shall be determined by the Court of County Commissioners of Pike County, Alabama in an amount not to exceed \$2,400 per year and shall be payable in equal monthly installments from the general fund of said county."

STATE OF ALABAMA
PIKE COUNTY

Before me, Louise M. Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice To ammend sector 2 of act no. 148 s. 185 regular session 1955 providing for a deputy circuit clerk for Pike County was published in said newspaper 4 times, the same appearing in the issues dated: July 10, 17, 24, 31, 1963.

M. F. BOISCLAIR,
Business Manager.

Sworn to and subscribed before me this the 3rd day of August, 1964.

LOUISE M. EMERSON,
Notary Public,
Pike County, Ala.

By Mr. Holladay (with notice and proof):

H. 154. To amend Act No. 218 S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Local Legislation No. 1.

Notice and Proof H. 154:

NOTICE

The following bill will be introduced at the next special or regular session of the Legislature of the State of Alabama.

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 218 S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county,

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 218, S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county (Acts 1955, v. 1, p. 529) is hereby amended to read as follows:

"Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of four thousand eight hundred dollars (\$4,800) per annum. The other two deputies in the office of the sheriff of St. Clair County shall each receive a salary of four thousand two hundred dollars (\$4,200) per annum. The salaries of the chief deputy & the other two deputies shall be paid in equal monthly installments out of the general fund of the county"

Section 2. All laws or parts of law which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Pat G. Cobb, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 1/2, 1/9, 1/16, and 1/23, all in the year 1964.

PAT G. COBB,
Bookkeeper.

Sworn to and subscribed before me 4-2, 1964.

ETHEL BLAIR,
Notary Public.

By Mr. Holladay:

H. 155. Relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places.

Local Legislation No. 1.

By Mr. Cates:

H. 156. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

Agriculture.

By Messrs. Camp and Bolton:

H. 157. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

Local Legislation No. 1.

By Messrs. Camp and Bolton:

H. 158. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-five Thousand (65,000) nor more than Ninety-five Thousand (95,000), according to the most recent Federal decennial census.

Local Legislation No. 1.

By Messrs. Camp, Brown (Tuscaloosa), Boston and Callahan:

H. 159. To amend Section 19 of Act No. 108, H. 152, Regular Session 1959, an act relating to the practice of chiropractic (Acts 1959, v. 1, p. 612).

Ways and Means.

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 160. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Local Legislation No. 1.

By Messrs. Callahan and Brown (Tuscaloosa):

H. 161. To create the office of Investigator for the Circuit Solicitor of the Sixth Judicial Circuit of Alabama, and fixing the compensation of such Investigator.

Ways and Means.

By Messrs. Nettles, Jones (Monroe), Doggett, Edington, Hogan, Daniel, Fields, Engel, McDermott, Downing and McCorquodale:

H. 162. To provide for a survey of the mineral, water and petroleum resources of the counties within the Alabama, Tombigbee and Mobile River basins, and for making and expending an appropriation for the purposes of this Act and to provide an effective date therefor.

Ways and Means.

By Mr. Posey:

H. 163. To apply in counties having populations of not less than 14,400 nor more than 14,900, providing expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body.

Local Legislation No. 1.

By Mr. Posey:

H. 164. Relating to counties having populations of not less than 14,400 nor more than 14,900; fixing the compensation of the coroner.

Local Legislation No. 1.

By Mr. Posey:

H. 165. To apply in counties having populations of not less than 14,500 nor more than 14,900; regulating the compensation of the county superintendent of education.

Local Legislation No. 1.

By Mr. Posey:

H. 166. To apply in counties having populations of not less than 14,500 nor more than 14,900: To provide for filling vacancies in county offices.

Local Legislation No. 1.

By Mr. Posey:

H. 167. Relating to counties having populations of not less than 14,400 nor more than 14,900, according to the last or any subsequent federal decennial census; providing further for the supervision, administration and control of the public schools; providing for the election and compensation of members of the board of education; and prescribing the duties of members of the board of education.

Local Legislation No. 1.

By Messrs. Salter and Cates:

H. 168. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Agriculture.

By Messrs. Salter and Cates:

H. 169. To amend Act No. 500, H. 291, Regular Session 1959, in relation to the construction, repair, and maintenance of streets, roads, drives, and parking areas on campuses of state institutions (Acts 1959, v. 2, p. 1235).

Ways and Means.

By Messrs. Salter and Cates:

H. 170. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Agriculture.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Jones (Covington):

H. J. R. 7. WHEREAS Governor George Wallace with his rare insight into the recognition of problems, his ability to analyze them, his courage to face them, and his perseverance in seeking their solutions has been of inestimable value to this nation; and

WHEREAS Governor Wallace at great personal sacrifice has given unstintingly of his seemingly inexhaustible supply of energy and talent in awakening the people of this country to certain dangerous trends of government and usurpation of powers; and

WHEREAS Governor Wallace while standing as a champion of state sovereignty and a symbol of constitutional government, has been recently engaged in a national political campaign which has focused nation-wide attention on Alabama and her governor; and

WHEREAS, though subjected to wholly unjustified criticism, vicious barbs, personal invectives, and sometimes exposed to bodily harm in hostile surroundings, Governor Wallace has consistently conducted himself with poise and dignity, refuting his antagonists with clear logic and kindly good humor, thereby winning many converts to his cause; and

WHEREAS Governor Wallace has seen fit to withdraw from the race for the presidency of the United States, having accomplished much of his purpose and having the best interests of this State and nation closest to his heart; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we do heartily commend Governor Wallace for his actions as conservator of constitutional government, and express our heartfelt gratitude to him for the manner in which his unswerving dedication has brought honor and credit to this State and to the South. We assure him that the people of Alabama and increasing numbers throughout this nation wish him every success in his continued fight to defeat the iniquitous civil rights bill of 1964.

On motion of Mr. Jones (Covington) the rules were suspended and H. J. R. 7 was adopted.

Also:

By Mr. Jones (Covington):

H. J. R. 8. WHEREAS, Miss Katy Sue Meredith of Andalusia, Alabama was crowned National Maid of Cotton in Memphis, Tennessee in December 1963; and

WHEREAS this title, the most dignified of all such designations of beauty, was the culmination of a long series of titles of beauty in local pageants and civic projects including the titles of Miss Andalusia, High School Year Book Beauty, Key Club Sweetheart, and Covington County Maid of Cotton in 1962 and 1963; and

WHEREAS such titles attest not only to the pulchritude of Miss Meredith but also to her personal charm, winning ways, and sweetness of character which had long been common knowledge in her home town, but are now recognized nation-wide; and

WHEREAS Miss Meredith is also blessed with a keen mind which she has studiously cultivated as evidenced by her election to the Junior Honor Society in the eighth grade, later to the Senior Honor Society, and to Alpha Lambda Delta at Alabama College where she has been on the dean's list for her four years in college; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we congratulate Miss Meredith for her many accomplishments, for her election as the 1964 National Maid of Cotton, and for the most able manner in which she has performed her duties as spokesman for The National Cotton Council during her tour around the world.

BE IT FURTHER RESOLVED, That we invite Miss Meredith at her convenience to address a few remarks to a joint session of the two houses of the Legislature, provided her busy schedule permits.

On motion of Mr. Jones (Covington) the rules were suspended and H. J. R. 8 was adopted.

Also:

By Mr. Jones (Covington):

H. J. R. 9. WHEREAS Stephen Reese White, former member of the House of Representatives from Covington County, passed away at his home in Montgomery on December 7, 1963, after a lifetime of public service; and

WHEREAS Mr. White, who was born and reared in Birmingham was a devoted alumnus of Auburn University from which institution he had been awarded both the B.S. and M.S. degrees; and

WHEREAS Mr. White served his country with distinction during time of war in the United States Navy as Lieutenant (J.G.) from 1943 to 1945; and

WHEREAS Mr. White, being a dedicated exponent of public education, taught in the schools of Covington County where he was later superintendent of education, continued to advance the cause of education during his term of office in the legislature, until his resignation to accept the directorship of the division of administration and finance in the state department of education; and

WHEREAS Mr. White was subsequently made manager of the state insurance fund in which position he exercised his customary good judgment and efficiency for a period of seven years brought to an end only by his untimely death; and

WHEREAS Mr. White throughout his lifetime was an exemplar of the true public servant in the highest tradition, bringing credit both to himself and to his state, meanwhile endearing himself to all his associates by his ease of manner and consideration of others; and

WHEREAS Mr. White is survived by his wife, the former Mary Elizabeth Terry of Red Level, and two daughters, Mrs. Robert Tarte of Huntsville and Miss Marcia Ann White of Montgomery; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that this body mourns the death of Mr. White and extends its sincere sympathy to the members of his bereaved family to whom copies of this resolution shall be sent.

On motion of Mr. Jones (Covington) the rules were suspended and H. J. R. 9 was adopted.

Also:

By Mr. Edington:

H. J. R. 10. WHEREAS, there did occur on the fifth day of August of 1864 a major engagement between the Confederate States Navy and the Union Navy in Mobile Bay, and

WHEREAS, such engagement is generally considered by Naval historians as constituting a milestone in modern naval tactics, and

WHEREAS, the City of Mobile has planned numerous activities to commemorate this historic event of 100 years ago, including the unveiling of a commemorative plaque, the creation of a diorama depicting the Battle of Mobile Bay, and various ceremonies in memory of the fallen heroes of this engagement, now therefore

BE IT RESOLVED THAT, the House of Representatives of the State of Alabama, the Senate concurring, recognize and commemorate this great naval engagement and commend the City and County of Mobile and the State of Alabama and their various historic and civic bodies for their efforts to memorialize the Centennial of this great chapter in Naval and Confederate history.

On motion of Mr. Edington the rules were suspended and H. J. R. 10 was adopted.

Also:

By Messrs. Edington, Rogers, Downing, Fields, Hogan, McDermott, Engel, Smith and Mashburn:

H. J. R. 11. WHEREAS, during the term of the Honorable George C. Wallace as Governor of the State of Alabama enormous progress has been made in the construction of highways in this State, and

WHEREAS highway development in the Mobile County area during such period has exceeded all previous records, principally as a result of Governor Wallace's cooperation and assistance, and

WHEREAS there is to be constructed under Mobile River a vehicular tunnel in connection with the Interstate 10 Project, which said tunnel has not yet been officially named,

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that the proposed vehicular tunnel under Mobile River which is to be constructed in connection with the Interstate 10 Project be and the same is hereby named and designated as the George C. Wallace Tunnel.

On motion of Mr. Edington the rules were suspended and H. J. R. 11 was adopted.

Also:

By Messrs. Goodwyn, Nabors and Brewer:

H. J. R. 12. WHEREAS, United States Senator Everett M. Dirksen has recently introduced a bill relating to statutory reapportionment of state legislative bodies a provision of which provides for a stop-gap stay of federal court action until the Congress can submit and the states have had an opportunity to ratify a constitutional amendment authorizing the "little federal system" of representation in state legislative bodies; and

WHEREAS, such bill is scheduled for hearing before the United States Senate Judiciary Committee at an early date,

NOW THEREFORE BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That the Alabama Legislature does hereby heartily approve any congressional action which would stay federal judicial interference on reapportionment questions until the states may vote upon a constitutional amendment designed to restore to the states and to the people the inherent right to structure their own state governments and to allocate its powers in the manner the people may choose.

BE IT FURTHER RESOLVED, That we urge Senators Lister Hill and John Sparkman to exercise their utmost influence to promote favorable committee consideration and ultimate passage of the above bill as an item of first priority over all other legislation pending before the Congress.

BE IT FURTHER RESOLVED, That a copy of this resolution be wired to Senators Hill and Sparkman and that a copy thereof be mailed to all other members of the Alabama Congressional Delegation to the end that they may also exert their influence for passage of the above bill.

On motion of Mr. Goodwyn the rules were suspended and H. J. R. 12 was adopted.

Also:

By Messrs. Nettles and Rast:

H. J. R. 13. WHEREAS, Governor George C. Wallace has rendered services of incalculable benefit to the people of Alabama and of the Nation as a whole by reason of his out-of-state campaigns in courageous and eloquent defense of our constitutional system of government; and

WHEREAS, millions of people throughout the Nation have been alerted to the dangerous trend toward centralization of an omnipotent power in hands of a faceless federal bureaucracy and have found renewed faith and courage to speak out and stand up for traditional value of local government and our economic system of free enterprise; and

WHEREAS, Governor Wallace has conducted his campaign with dignity and consummate skill in the use of clear and incisive debate, sparkling repartee, and complete mastery of subject matter; and

WHEREAS, Governor Wallace has won the grudging respect and admiration of even his bitterest foes and the unbounded admiration of all friends of constitutional government and in so doing has reflected great credit upon himself and the people of the State of Alabama.

NOW THEREFORE BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we heartily endorse and commend Governor Wallace for his leadership and aggressive campaigns out of the State of Alabama in defense of principles and in pursuit of goals we all hold dear and that we endorse his actions and encourage him to continue his fight in any and every form available to him and that we approve and endorse his use of the State airplane in his efforts and urge its continued use by him for these purposes.

On motion of Mr. Nettles the rules were suspended and H. J. R. 13 was adopted.

ADJOURNMENT

Mr. Fite moved that the House adjourn until Wednesday, August 5, 1964, at three o'clock P. M.

The substitute motion of Mr. Morrow that the House adjourn until Thursday, August 6, 1964, at ten o'clock A. M. was adopted.

Yeas 57; Nays 26.

Yeas:

Messrs.	Bevill	Carr	Etheredge
Albea	Blanton	Cates	Fields
Avery	Bolton	Cooper	Gilmore
Bailes	Bowers	Cornett	Goldthwaite
Baker (DeKalb)	Branyon	Davis	Hain
Baker (Madison)	Brown (Tuscaloosa)	Doggett	Hankins
Barnett	Burns	Dominick	Hawkins
Bethea (B)	Callahan	Downing	Heflin
Bethea (W)	Camp	Engel	Hester

Hogan	Meeks	Perry	Sessions
Ingram	Moore	Pierce	Steagall
Jones (Monroe)	Morrow	Powell	Stembridge
Little	NeSmith	Rogers	Sullivan
Locke	Nettles	Scurlock	Teel
Mashburn	Paulk		

—57

Nays:

Mr. Speaker	Collins	Goodwyn	Owens
Bassett	Crawford	Grouby	Pennington
Boston	Drake	Hannah	Posey
Brown (Jefferson)	Edington	Jones (Covington)	Rast
Burnham	Edwards (Escambia)	Merrill	Salter
Campbell (Jackson)	Edwards (Lowndes)	Nabors	Snell
Casey	Fite		

—26

SECOND DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 5, 1964

The House did not meet today.

THIRD DAY

House of Representatives
Montgomery, Alabama
Thursday, August 6, 1964

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend John E. Vickers, Minister, Saint James Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Bowers	Cates	Edwards (Lowndes)
Albea	Branyon	Collins	Engel
Avery	Brown (Jefferson)	Cook	Etheredge
Bailes	Brown (Tuscaloosa)	Cooper	Fields
Baker (DeKalb)	Burnham	Crawford	Fite
Barnett	Burns	Daniel	Gilmore
Bassett	Callahan	Davis	Glass
Bethea (B)	Camp	Doggett	Goldthwaite
Bethea (M)	Campbell (Jackson)	Dominick	Goodwyn
Bevill	Campbell (Tuscaloosa)	Downing	Grouby
Blanton	Cantrell	Drake	Hain
Bolton	Carr	Edington	Hankins
Boston	Casey	Edwards (Escambia)	Hannah

Harper	Meade	Powell	Stembridge
Heflin	Meeks	Pruitt	Sullivan
Hogan	Merrill	Rast	Teel
Holladay	Moore	Reynolds	Thomas
Ingram	Nabors	Salter	Tuck
Jones (Covington)	NeSmith	Scurlock	Turner (Crenshaw)
Little	Nettles	Sessions	Turner (Limestone)
Locke	Owens	Slate	Turnham
McCorquodale	Paulk	Smith	Vacca
McDermott	Perry	Snell	Young
Mashburn	Pierce	Steagall	

—95

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Smith leave of absence was granted to Mr. Wood because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the First legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Turner (Crenshaw), the reading at length of the Journal of the House for the First legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the First legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Carter:

S. J. R. 4. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that when the two Houses adjourn Thursday, August 6, 1964, they adjourn to meet again Tuesday, August 11, 1964 at 2 o'clock P.M.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turner (Crenshaw) the rules were suspended and the House concurred in and adopted the S. J. R. 4 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Turner (Crenshaw):

H. J. R. 14. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House

and Senate be held at 11:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House, to be named by the Speaker of the House, and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. Turner (Crenshaw) the rules were suspended and H. J. R. 14 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Turner (Crenshaw), Goodwyn and Merrill.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 5. Memorializing Congress to propose an amendment to the Constitution of the United States relative to apportionment of state legislatures.

Also:

H. J. R. 6. Authorizing Joint Interim Committee to study legislative apportionment and report to the next regular session of the Legislature.

Also:

H. J. R. 7. Commending Governor Wallace for his actions as conservator of constitutional government and expressing gratitude for his unswerving dedication to this State and to the South.

Also:

H. J. R. 8. Congratulating Miss Katy Sue Meredith on being selected National Maid of Cotton, and inviting her to address a Joint Session of the Legislature.

Also:

H. J. R. 9. Mourning the death of Honorable Stephen Reese White, former member of the House of Representatives.

Also:

H. J. R. 10. Commemorating the Battle of Mobile Bay in August of 1864 and commending the City and County of Mobile in their efforts to memorialize this Centennial.

Also:

H. J. R. 11. Naming the proposed tunnel under the Mobile River the George C. Wallace Tunnel.

Also:

H. J. R. 12. Commending U. S. Senator Everett M. Dirksen for his efforts to delay judicial interference on reapportionment questions and urging Senators Hill and Sparkman to support this legislation.

Also:

H. J. R. 13. Commending Governor Wallace for his leadership in defense of southern principles and encouraging his future efforts on behalf of our constitutional system of government.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Mathews, Adams, Allen, Bentley, Brannan, Carter, Clark, Cooper, Dumas, Eddins, Evans, Gilchrist, Givhan, Hammond, Hawkins, Hornsby, Horton, James, Lolley, Lowe, McCain, McDow, Metcalf, Montgomery, Nichols, Oden, Reynolds, Roberts, Robison (Montgomery), Robison (Pickens), Shelton, Smith, Taylor, Tyson, Wilson:

S. J. R. 3. WHEREAS our highly esteemed and beloved colleague, President of the Senate, Lieutenant Governor of the State of Alabama, our personal friend, James B. Allen will be united in marriage with Maryon Pittman Mullins on Friday, August the seventh, at four o'clock in the afternoon, in the Henry M. Edmonds Memorial Chapel of the Independent Presbyterian Church of Birmingham; and

WHEREAS Mrs. Mullins, being the lovely and gifted daughter of Mr. and Mrs. John D. Pittman, long prominent in industrial and cultural circles of Alabama, is a young lady whose talents have been widely recognized and enjoyed in the society pages of the Birmingham News for which newspaper she has so ably written; and

WHEREAS Lt. Governor Allen, being the son of a former legislator and able attorney, the late George C. Allen, and of the late Mary Ethel Browning Allen of Gadsden, is the only man in the history of this State to be elected twice to the office of Lieutenant Governor, a position for which his statesmanship and amiability so admirably fit him; now therefore

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we congratulate Lieutenant Governor Allen upon his approaching marriage and wish for him and his bride-to-be every happiness in their future.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Nabors the rules were suspended and the House concurred in and adopted the S. J. R. 3 set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 28. Proposing an amendment to the Constitution of Alabama in relation to the eligibility of certain state officers to succeed themselves in office.

The above bill was read a second time at length as required by the Constitution.

H. 111. To make an additional appropriation for payment of expenses of the Legislature.

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

H. 113. To amend Act No. 92 adopted at the Second Special Session of 1963 of the Legislature of Alabama to provide for the collection and distribution of the proceeds of the tax levied by the said act.

H. 145. To amend Section 29 of Title 34 of the Code of Alabama of 1940:

H. 17. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

H. 135. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

H. 136. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the

"parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

H. 159. To amend Section 19 of Act No. 108, H. 152, Regular Session 1959, an act relating to the practice of chiropractic (Acts 1959, v. 1, p. 612).

H. 138. Relating to taxation, providing certain exemptions from the state sales and use taxes.

H. 92. To provide that any city or town in the state having a commission form of Government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the Governing body thereof electing so to do; to provide that the members of the Governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for commissioners positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the board of commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by commissioners; to prohibit commissioners from holding other public offices; to prohibit any commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the board; to provide for the salaries of commissioners and other disbursements of the municipality; to provide that meetings of the board of commissioners shall be open to the public; to provide a manner for changing the form of government of the municipality; to provide for the presentation of a petition calling for the resignation of a commissioner, and to establish requirements for the signing thereof; to provide a fee for the Judge of Probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a commissioner and for the election of his successor; and to state the method for ascertaining qualified voters in municipalities situated in more than one county.

H. 91. To amend Sections 773 and 778 of Title 37, Code of Alabama, relating to the publication of zoning ordinances; providing that any zoning ordinance heretofore published in accordance with the provisions of this Act shall be deemed to have been lawfully published.

Mr. Turner (Crenshaw), Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 106. To amend the title to and Sections 1 and 2 of Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

H. 107. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

Mr. Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 114. To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

Mr. Salter, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 36. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

H. 156. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

H. 168. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

H. 170. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Mr. Bevill, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 15. Proposing a constitutional amendment relative to an apportionment of the senate of the legislature of Alabama.

The above bill was read a second time at length as required by the Constitution.

H. 16. Proposing a constitutional amendment relative to an apportionment of the senate of the legislature of Alabama.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 3. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

H. 4. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

H. 5. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

H. 20. Relating to the Sheriff of Dale County, providing an allowance for empaneling grand juries.

H. 21. Relating to Dale County, providing for the appointment of deputies sheriff and for their compensation.

H. 22. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697) entitled 'An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

H. 23. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

H. 25. To apply only in counties having populations of not less than 28,000 nor more than 30,575, authorizing such counties to make certain temporary loans.

H. 32. Regulating the compensation of election officers in counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census.

H. 33. To apply only in counties having populations of not less than 15,500 nor more than 16,300, relative to closing the office of officials in the courthouse.

H. 34. Relating to counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

H. 94. Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

H. 95. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

H. 96. Regulating the compensation of election officers in counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

H. 97. To apply only in counties having populations of not less than 13,700 nor more than 14,300, relative to closing the office of officials in the courthouse.

H. 98. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

H. 99. To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

H. 100. Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

H. 101. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

H. 102. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

H. 103. Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

H. 104. Relating to Lee County; fixing the pay of jurors, grand and petit.

H. 105. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 49,500 nor more than 50,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 108. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

H. 109. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the pay-

ment of the compensation of members and chairman of the county governing body.

H. 146. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000.

H. 147. To provide for the payment of an expense allowance for certain members of the board of revenue and control, court of county commissioners, or like governing body in every county having a population of not less than 57,000 nor more than 61,500 for expenses incurred in the performance of their duties.

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

H. 149. To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

H. 150. To amend Section 2, of Act No. 259, H. 507, Regular Session 1951, an act providing a deputy for the tax assessor of Pike County.

H. 151. To amend Section 2, of Act No. 258, H. 506, Regular Session 1951, an act providing a deputy for the tax collector of Pike County.

H. 152. To amend Section 1 of Act No. 332, H. 602, Regular Session 1961, an act providing for a clerk of the Juvenile Court of Pike County (Acts 1961, V. 1, P. 358).

H. 153. To amend Section 2 of Act No. 148, S. 185, Regular Session 1955, an act providing for a deputy circuit clerk for Pike County.

H. 154. To amend Act No. 218 S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

H. 155. Relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places.

H. 157. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

H. 158. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-five Thousand (65,000) nor more than Ninety-five Thousand (95,000), according to the most recent Federal decennial census.

H. 160. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property annexed to municipalities in such counties, and in newly incorporated areas.

H. 38. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

H. 39. To provide in all counties having a population in excess of 600,000 according to the last or any subsequent Federal decennial census that the Superintendent, Assistant Superintendent, or other like officer of the County Home, poor farm or alms house owned and operated by any such county shall be appointed and designated the guardian of all persons who are patients or inmates in the said institution and are unable for physical or mental reasons to reasonably manage or handle their own affairs. To provide for the expenditure of guardianship funds for services and treatment rendered said patient or inmate by such county home, poor farm or alms house. To further provide that said Superintendent, Assistant Superintendent or other like officer shall post a surety bond with the Probate Court and make partial settlements of his guardianship to the Probate Court. To provide for additional partial settlements when ordered by the Probate Court. To provide for final settlements upon any patient or inmate in the said institution, leaving said institution or upon the death of any such person. To provide for a final settlement on the death, retirement or removal of the said Superintendent, Assistant Superintendent, or other like officer.

H. 40. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

H. 41. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

H. 42. To authorize the governing body of any county having a population of 500,000 or more according to the last or any subsequent federal census to compensate any person for any injury to him or damage to his property by a motor vehicle operated by an employee of the county in the course of his employment where the governing body

finds that the negligence of said employee was the proximate cause of such injury or damage, that the person who was injured or whose property was damaged was not guilty of any negligence proximately causing said injury or damage and that the circumstances of the injury or damage were such as to make compensation just and proper; and authorizing the county governing body to provide liability insurance for such purpose.

H. 43. To amend Section 3 of Act No. 695 of the 1951 Legislature.

H. 44. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

H. 46. To establish an Inferior Court in Precincts 9, 10, 21 and 42 in Jefferson County Ala. and in all other precincts lying within or partly within the City of Birmingham, Ala. except Precincts 29, 45 and 52 in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory and with concurrent jurisdiction with all other justices of the peace and inferior courts in the Birmingham Division of Jefferson County, Alabama, to define the jurisdiction and powers of said court, the judge, clerks and other officers thereof: to provide for a place of holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary.

H. 47. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

H. 48. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

H. 49. To provide for and fix the sum of Three Hundred Dollars per month as an allowance for expenses for the Mayor or other chief executive officer of any City having a population of Three Hundred Thousand inhabitants or more according to the last or any subsequent Federal census for which he shall not be required to file an accounting.

H. 50. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amend-

ed, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

H. 51. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

H. 52. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 53 (with substitute). To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

H. 54 (with substitute). To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 55. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

H. 56. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

H. 57. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regular the payment of the salaries of said judge:

H. 58. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

H. 59. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 60. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 61. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

H. 62. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

H. 63. To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

H. 64. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

H. 65. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

H. 66. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

H. 67. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

H. 68. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

H. 69. To amend Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, Acts of Alabama 1951, page 1579, et seq., as heretofore amended.

H. 70. To amend Act No. 556, of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, page 1376 et seq.

H. 71. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

H. 72. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

H. 73. To apply in and only in each city in this State having a population of 300,000 or more, according to the last or any subsequent decennial Federal census; to provide for the creation of the office of City Magistrate and the appointment of city magistrates; to define the qualifications, powers and duties of city magistrates; and to provide for search warrants and warrants of arrest.

H. 74. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

H. 75. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

H. 76. To provide that the governing body of any city in the State having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

H. 77. To authorize the County Board of Education of any county having a population of 500,000 or more according to the last or any succeeding federal decennial census to name school buildings in honor of living persons.

H. 93. To adopt and approve, in all counties of 500,000 or more by last decennial census, by section, titles and articles the 1940 Code of Alabama as recompiled, with stated exceptions.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabit-

ants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

H. 117. To regulate further the office of sheriff in counties having populations of more than 300,000 and less than 500,000, according to the last or any subsequent federal decennial census; to exempt sheriffs of such counties from liability for the acts of their deputies, except in certain cases.

H. 119. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

H. 120. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

H. 122. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

H. 123. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags, and by prescribing further penalties.

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

H. 125. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of members of the courts of county commissioners, county commissions, or like county governing bodies of such counties.

H. 126. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent Federal census.

H. 127. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act #315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

H. 128. To amend Section 2, Act No. 218, H. B. 404, Regular Session 1963, an act relating to counties having populations of not less than 300,000 nor more than 500,000.

H. 129. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and pro-

viding that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act N. 345, S. 291, 1955 Acts Vol. II, p. 783).

H. 130. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama, 1955, (Vol. I, p. 515), approved August 3, 1955, entitled "An Act to provide further for the compensation of the Circuit Solicitor in circuits composed of one County and having not less than four nor more than nine Circuit Judges," as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. I, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940.

H. 131. To amend Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an Act relating to the office of License Commissioner in counties having populations of not less than 300,000 or more than 500,000.

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

H. 139. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Amendment CXCV to the Constitution of Alabama providing for the levy and collection by Mobile County of a special tax, not exceeding six mills on each dollar of taxable property in the County, for public hospital purposes.

The above bill was read a second time at length as required by the Constitution.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Albea, Burnham and Merrill:

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Local Legislation No. 1.

By Mr. Turner (Crenshaw):

H. 172. To provide expense allowance to circuit solicitors in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

Ways and Means.

By Mr. Davis:

H. 173. To regulate the execution of certain public contracts for the sale of state-owned property by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Ways and Means.

By Mr. Davis:

H. 174. To provide for distribution of free textbooks for use in all grades in the public schools, and making an appropriation for that purpose.

Ways and Means.

By Mr. Davis:

H. 175. Relating to textbooks; creating a commission to purchase and distribute free textbooks; abolishing the state depository system and providing for an annual survey by the commission to determine the comparative costs of textbooks to the several states.

Ways and Means.

By Mr. Davis:

H. 176. Relating to public schools; providing for annual surveys of the prices of textbooks used in public schools in Alabama and other southern states; creating a state textbook survey commission to conduct the surveys; and providing for the payment of expenses incurred by the commission.

Ways and Means.

By Mr. Drake:

H. 177. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Local Legislation No. 1.

By Messrs. Vacca, Rast, Brown (Jefferson), Collins, Perry, Bowers, Gilmore, Sessions, Locke, Bethea (B), Hawkins and Bailes:

H. 178. TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF ALABAMA FOR THE CREATION IN JEFFERSON COUNTY, ALABAMA, OF DISTRICTS WHEREIN THERE MAY BE ESTABLISHED AND MAINTAINED A SYSTEM FOR FIGHTING FIRES OR PREVENTING FIRES, OR A SYSTEM FOR THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH, AFTER THE CREATION OF ANY SUCH DISTRICT HAS BEEN FIRST APPROVED BY THE QUALIFIED ELECTORS RESIDING WITHIN THE PROPOSED DISTRICT; TO PROVIDE FOR THE LEVYING AND COLLECTING OF A SERVICE CHARGE TO BEAR THE COST OF FIGHTING FIRES OR PREVENTING FIRES IN ANY DISTRICT ESTABLISHED FOR THAT PURPOSE; TO PROVIDE FOR THE LEVYING AND COLLECTING OF A SERVICE CHARGE TO BEAR THE COST OF COLLECTING AND DISPOSING OF GARBAGE AND TRASH IN ANY DISTRICT ESTABLISHED FOR THAT PURPOSE; TO PROVIDE THAT SUCH SERVICE CHARGE SHALL BE LEVIED UPON AND COLLECTED FROM THE PERSONS AND PROPERTY TO WHOM AND TO WHICH SUCH SERVICES ARE AVAILABLE; TO PROVIDE THAT ANY SUCH SERVICE CHARGE SHALL BE A LIEN UPON ANY SUCH PROPERTY; TO PROVIDE FOR THE ENLARGEMENT OF ANY SUCH DISTRICT BY THE ADDITION OF TERRITORY THERETO; AND TO AUTHORIZE THE LEGISLATURE TO PROVIDE FOR THE ISSUANCE OF BONDS, TO PAY THE COST OF ESTABLISHING AND MAINTAINING SUCH SYSTEMS, PAYABLE ONLY OUT OF THE PROCEEDS OF THE SAID SERVICE CHARGE.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Mr. Blanton:

H. 179. To amend further Code of Alabama 1940, Title 61, Section 301, which relates to settlement by consent without notice in the administration of estates.

Judiciary.

By Messrs. Bethea (M), Vacca, Rast, Perry and Sessions:

H. 180. Relating to elementary and secondary school education, authorizing tuition grants from public funds for qualified pupils in attendance in private schools; providing for administration of the act; prescribing penalties and repealing conflicting laws.

Education.

By Messrs. Perry, Locke and Rast:

H. 181. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

Agriculture.

By Messrs. Locke, Meeks and Bailes:

H. 182. TO PROVIDE FOR REMOVAL OF PRISONERS FROM ONE MUNICIPAL JAIL TO ANOTHER JAIL UNDER CERTAIN SPECIFIED CONDITIONS.

Judiciary.

By Mr. Powell:

H. 183. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of the municipality of Tallassee, Elmore County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Moore:

H. 184. Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue.

Local Legislation No. 1.

By Messrs. McDermott and Engel:

H. 185. To amend Title 61, Section 301 of the 1940 Code of Alabama, as amended, entitled, "Settlement by Consent Without Notice."

Judiciary.

By Messrs. McDermott and Engel:

H. 186. Relating to counties having populations of not less than 200,000 nor more than 500,000; regulating further motor vehicles used for transporting pulpwood; providing for the periodic safety inspection of such vehicles; requiring certain proof of financial responsibility by owners or operators of such vehicles; and prescribing penalties.

Local Legislation No. 3.

By Messrs. Engel and Hogan:

H. 187. Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County.

Local Legislation No. 3.

By Mr. Goodwyn:

H. 188. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 130,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit, but shall be payable from the benefits secured for, or on behalf of the persons for whose benefit any such suit was successfully prosecuted; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

Local Legislation No. 1.

By Messrs. Goldthwaite, Little and Pierce:

H. 189. Relating to public elementary and high schools; regulating further the adoption of textbooks.

Ways and Means.

By Messrs. Slate and Brewer (with notice and proof):

H. 190. Relating to the Municipality of Hartselle, in Morgan County, Alabama: to alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Local Legislation No. 1.

Notice and Proof H. 190:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the next Special or Regular Session of the Legislature of Alabama for the enactment of local law substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Municipality of Hartselle, in Morgan County, Alabama:

To alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The boundaries of the Municipality of Hartselle, in Morgan County, Alabama, are hereby altered, re-arranged, and extended to include within the corporate limits of the Town of Hartselle, Alabama, in addition to the territory now embraced therein, the following described territory situated in Morgan County, Alabama, to-wit:

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, Township 7 South, Range 4 West.

SECTION 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher and Owner of The Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 23, January 30, February 6, and February 13, all in the year 1964.

JACK W. HOFFHAUS.

Sworn to and subscribed before me 3rd day of August, 1964.

WILMA V. NEWMAN,
Notary Public.

By Messrs. Slate, Turner (Limestone), Moore and Brewer:

H. 191. Regulating further the office of circuit solicitor of the eighth judicial circuit of Alabama; amending Section 2 of Act No. 312, S. 215, Regular Session 1955 (Acts 1955, p. 710), relating to the solicitor's fund.

Local Legislation No. 1.

By Mr. Holladay:

H. 192. To amend Code of Alabama 1940, Title 17, Section 96, which relates to the use of voting machines at elections, so as to authorize the use of paper ballots when there is congestion at a polling place even though voting machines are in use there.

Constitution and Elections.

By Messrs. Camp and Brown (Tuscaloosa):

H. 193. To make an appropriation to the State Board of Chiropractic Examiners for the fiscal year ending September 30, 1965.

Ways and Means.

By Mr. Brown (Tuscaloosa):

H. 194. To apply only in counties of the state having populations of not less than 100,000 nor more than 115,000; to further regulate the taking of fish from public streams and impounded waters.

Local Legislation No. 1.

By Messrs. Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

Local Legislation No. 1.

By Messrs. Callahan and Brown (Tuscaloosa):

H. 196. Relating to counties having a population of not less than 100,000 and not more than 115,000 inhabitants according to the latest or any succeeding Federal decennial census and providing for and further regulating the operation of child care in institutions in such counties.

Local Legislation No. 1.

By Messrs. Beville, Drake and Scurlock:

H. 197. To amend Section 154, Title 41, Code of Alabama 1940, as last amended.

Ways and Means.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 4. Relative to expressing regret upon the death of the Honorable W. L. ("Doc") Martin.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Turner (Crenshaw):

H. J. R. 15. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the officers and mem-

bers of the two houses who are invited to do so shall be authorized to participate in the National Conference of State Legislative Leaders on behalf of the State and the annual membership dues of Alabama in the Conference as assessed for the year 1963 and thereafter may be paid from funds appropriated to the use of the Legislature, upon certificate of the Speaker of the House.

On motion of Mr. Turner (Crenshaw) the rules were suspended and H. J. R. 15 was adopted.

Also:

By Mr. Turner (Crenshaw):

H. J. R. 16. WHEREAS, Governor Carl Sanders of Georgia has followed the line of many so-called "Moderates" which is to give lip service to our constitutional right to free speech, but to oppose the expression of principles with which he does not agree, and

WHEREAS, the people of Alabama generally do not agree with Governor Sanders, but take the position of Voltaire that while we do not agree with what he says we will defend to the death his right to say it, and

WHEREAS, The Legislature of Alabama desires to continue the Alabama tradition of hospitality and courtesy to all;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, that Governor Carl Sanders be and he is hereby invited to address a joint session of the Legislature of Alabama at anytime during the current session it is convenient to him.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to Governor Sanders by the Clerk of the House of Representatives.

On motion of Mr. Turner (Crenshaw) the rules were suspended and H. J. R. 16 was adopted.

Also:

By Messrs. Rast, Brewer, Fite, Baker (Madison), Baker (DeKalb), Collins, Cook, Drake, Edwards (Escambia), Fields, Glass, Harper, Nettles, Powell and Stembridge:

H. J. R. 17. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we express our great pleasure at encouraging news of the recovery of Mrs. Edna Harris from a serious and unfortunate illness. Mrs. Harris, who is friendly, capable and efficient in the performance of her duties as secretary to the Honorable Speaker of this House, lovely and charming in manner, has been sorely missed here; and we extend to her all good wishes and our best regards, sincerely hoping that she will soon return to a normal routine.

On motion of Mr. Rast the rules were suspended and H. J. R. 17 was adopted.

UNANIMOUS CONSENT GRANTED

Mr. Pierce requested unanimous consent to add the names of Messrs. Pierce, Goldthwaite, Goodwyn and Little as co-authors of the above and foregoing H. J. R. 17, and it was so granted.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Moore:

H. J. R. 18. WHEREAS, Representative Quinton R. Bowers, the immediate past Commander, Department of Alabama, Veterans of Foreign Wars, has been selected for national honors as a Department Commander of the Year for his outstanding leadership in that patriotic organization; and

WHEREAS, the special national recognition is to be bestowed on him at the Veterans of Foreign Wars forthcoming National Convention in Cleveland, Ohio; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we extend heartiest congratulations and best wishes to our distinguished colleague, and warmly commend him for his achievements and receipt of this great honor.

On motion of Mr. Moore the rules were suspended and H. J. R. 18 was adopted.

Also:

By Messrs. Pierce, Goodwyn, Goldthwaite, Little and Turnham:

H. J. R. 19. WHEREAS Robert Horton Rutland, Director of the technical staff of the State Building Commission, passed away on July 12, 1964, after long and distinguished service as a career employee of the State; and

WHEREAS Mr. Rutland, who was held in high regard by his friends, was admirably equipped for the position he held at his untimely death. Mr. Rutland was a graduate of Auburn University, having received his architectural degree in 1934, since which time he had many years of valuable experience in his chosen field. He was a man of progressive vision and foresight, which combined with a sense of appropriate practicality and strict integrity, made his services of immeasurable value to this state; and

WHEREAS Mr. Rutland being the son of the late Dr. J. R. Rutland, long time head of the English department at Auburn University, and of Mrs. Rutland, was a devoted alumnus of that institution. While at Auburn, Mr. Rutland was an outstanding athlete, and was the champion pole vaulter of the Southeastern Conference during his senior year. Since his graduation he had been an ardent supporter of his alma mater; and

WHEREAS Mr. Rutland is survived by his wife, Mrs. Mary Louise Torbert Rutland, and three sons Robert Jr., George, and James; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we express our deepest regret upon the death of Mr. Rutland and extend our heartfelt sympathy to his survivors.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mrs. Rutland and her sons.

On motion of Mr. Pierce the rules were suspended and H. J. R. 19 was adopted.

Also:

By Mr. Sullivan:

H. R. 20. WHEREAS, there is no provision for the office of chaplain of the House of Representatives, yet at times this body needs the services of a chaplain; and

WHEREAS, The Honorable Gus Wilson Young is a man of many and varied interests, imbued with a love for and understanding of his fellowman and admirably qualified to serve as a chaplain, who has in fact, on occasions, performed some of the offices of a chaplain for this body; and

WHEREAS, he is also the only member of The House who is also a minister of The Gospel; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That in appreciation of the spiritual contributions that Representative Young has made to this body we do hereby designate him "Honorary Chaplain of The House of Representatives."

On motion of Mr. Sullivan the rules were suspended and H. R. 20 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 14. Relative to Joint Session at 11:30 A.M. today to hear the message of Honorable George C. Wallace.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Robison (Montgomery) and Gilchrist.

McDOWELL LEE,
Secretary.

JOINT SESSION

The hour of 11:30 o'clock A.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 14 heretofore adopted, for the purpose of hearing an address by His Excellency, George C. Wallace, Governor of the State of Alabama.

The joint session was called to order by Hon. James B. Allen, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, George C. Wallace, Governor of the State of Alabama, appeared before the joint session and delivered the following message:

Thank you Governor Allen, Mr. Speaker, and members of the House and Senate of this Joint Session of the Alabama Legislature, and ladies and gentlemen.

Of course I spoke to a joint session on Tuesday, the first day, in which I pointed out the purpose of calling the extraordinary session of the Alabama Legislature. And of course I also, in that message to the Legislature, tried to point out some of the accomplishments of this administration of which you and I and the people of Alabama can be justly proud, because these accomplishments have come as a result of the actions of the majority of the membership of this joint session and also of the people of Alabama.

I called this Legislature into session for the purpose of redistricting the State of Alabama. That was the purpose and intent. I am for redistricting the State of Alabama and I am happy to see that the nominees of both parties in this State are all fine gentlemen who have themselves said that redistricting is a necessity.

I would point out in fairness to some of them that some of them do say that they, of course, disagree on timing but all are in agreement that we should redistrict the State of Alabama.

I was inaugurated governor of this state in 1963 with the largest vote given to any governor in the history of Alabama. And for that I will be eternally grateful and I am proud of the confidence that has been manifested in me by the people of Alabama. I think that if I live to be 100 years of age, one of the greatest pleasures that has come to me has been to serve the people of this state and to be able in recent months to have stood in all sections of these United States and talked about the people of this state being as fine, courageous, and intelligent as the people of any state in this Union. I have found that there are many people in other parts of the country, millions of them, who feel as you and I do on issues involving philosophy of government.

I would point out to you that since I have been inaugurated governor of this state that the policies of my administration have been opposed by a small group in the Legislature and as you know we had continuous filibustering in the Legislature of Alabama during the entire 1963 session.

The great reason why a redistricting bill did not pass in that year was because of continuous filibustering against the Wallace administration. That is, in effect, what killed redistricting in the year 1963. There has been an overwhelming majority of the members of the Legislature who supported the administration, but we had some few, we had for instance those who filibustered in 1963 against my administration and every aspect of my administration. Senator Vaughn Hill Robison of Montgomery who was the floor leader for John Patterson during his administration, Senator Bob Gilchrist who was, of course, the floor leader for the Patterson administration in the House and who supported Mr. DeGraffenreid for governor, and then there was Senator McCain who is from Tuscaloosa, Senator DeGraffenreid's county, and then Senator Hornsby who was a member of the John Patterson Cabinet. They continuously filibustered along with some others during every phase and aspect of our administration, and of course the Succession Bill is what I am getting at.

I did not call the Legislature into special session to pass the Succession Bill or to consider it. I had never talked to the authors of the Succession Bill about it and I only talked today to Ollie Nabors, that fine House member from Etowah County just a few minutes before I came to this body. I talked with Senator Clark last night for the first time and to Senator Lolly and others and to Senator Bob Wilson. I talked to them this morning for the first time about the Succession Bill.

The Succession Bill is supported by an overwhelming majority of the membership of both Houses . . . the House and the Senate. It passed

the House in 1963 by a vote of 78 to 11. It came out of the committee in the Senate and it was placed upon special order. I ask that that Succession Bill be taken off of the special order because I wanted other items of legislation considered.

Ladies and Gentlemen of the radio and television audience and you here today at this joint session what is the Succession Bill? It is a bill that would allow the people of Alabama to vote upon whether or not they would like to see a governor have the chance to run again. This Succession Bill also applies to every other Constitutional officer in the state including the Lt. Governor, the Attorney General, the Secretary of State, the State Auditor, the Commissioner of Agriculture. It would also remove the limitation from a governor not being able to run for the United States Senate until a year has expired from the time he has completed his term in office. This bill is a bill that would allow the people of Alabama to vote upon this matter. It is not something the Legislature of Alabama can put upon the people—it would be a voice and vote of the people of Alabama.

You have heard the arguments about the Succession Bill, that 27 states have no limitation at all upon a governor succeeding himself and there are 35 states, I think, that allow succession in one way or another. This is the Succession Bill that you have heard so much talk about. This is the bill that has the support of the overwhelming majority of those in both Houses. This is the bill that came out of both committees yesterday without any trouble—9 to 3 in the Senate of Alabama and I have forgotten the vote in the House but it was almost unanimous in the House Committee. Immediately we see that filibustering has started again by the same group who filibustered every single item of my administration in 1963. And I say this in good humor and I say this with no rancor or malice at all because I can tell you this, I have been attacked so much in this state and this country by the best that there are **existing to attack people**, and the people of Alabama still know what the three facts are and what we in this state stand for.

But a filibuster would cost the old age people of Alabama \$50,000 a week. We cannot afford to stay here for any length of time because it is taking \$50,000 a week away from the old age people of Alabama and therefore any extended filibuster by those who oppose me and have opposed me and will continue to oppose me, of course, is not in the interest of the people of Alabama. So for the second time I come before this body to ask you to take the bill that has been brought from the committee 9 to 3 with the thanks from my heart to those who are supporting this measure because of their confidence, not only in me, but because they feel that it is in the interest of the state to allow Constitutional officers to succeed themselves.

This bill is not a bill designed primarily for George Wallace because those who introduced it in the House, the fine, distinguished member from Etowah, Ollie Nabors is not an administration floor leader, in the House nor is not one of the administration leaders although he is a friend of my administration. So I am asking this Senate that has the rule where you can filibuster to recommit this bill back to the Senate committee from whence it came because I am not pushing the Succession Bill. I brought you here for the purpose of Congressional redistricting and I hope that you will get on with the business for which you were called here in extraordinary session for staying here any undue length of time, as I said, will take money from the old people of Alabama because a conditional appropriation passed by this Legislature in 1963 is now being paid to the Department of Pensions and Securities. But, of course, every extra day that you stay in prolonged session takes money away from that group.

So I am asking you to recommit this bill back to the Senate committee from whence it came and get on with the business that you are here to do—the matter of redistricting. I called you here for that purpose and I have tried to be honest with this Legislature and the people of Alabama and I am proud of our administration in that field, and I again ask the members of this Legislature to check any item of business carried on by this state, including the surplus sale on yesterday, and you will see that we have meant business when we have talked about honesty in state government. But my friends I say get on with the business at hand.

And let me also say that I am going to travel in other parts of the nation beginning the latter part of the month of August and continuing until after the election in November is over because this fight that you and I are in at this time is a fight that will take a long time. We may not win on tomorrow nor next year nor the year after next but we can win if we persist because I know there are millions of people in this nation who feel as you and I do. I have seen evidence all the way from New Hampshire to the state of Washington and I have seen it in those primaries in which I have entered with your blessing—in Wisconsin, Indiana, and Maryland.

You are reading the papers, and the national press columnists are writing and the national radio and television media are telling you already what effect Alabama and her effort is having on national politics as of this moment. I went to these states to talk about the most insidious and nefarious piece of legislation ever concocted—a bill that is aimed at destroying the private property system in this country, individual liberty and freedom; the Constitution of the nation; and every right that the legislature and governor of Alabama have. This bill has taken over every aspect and phase of local government in this country. It has taken over the farms, the businesses; it has taken over labor unions and the schools in this state and in every state in the union and we are now at the mercy of an oligarchy and autocrats and bureaucrats and those who have no love for the system that made America great. And I am constrained to say that if everything has been wrong with the American system that has been spoken by the liberals in our country how have we in the last 175 years become the most strong and powerful nation in the world with all these immoral and bigoted and prejudiced ways of the peoples of this nation. That, of course, is pure bunk. I went into the snow in Wisconsin and we were so cold in that state that I almost said let's go back to Alabama, but we went through the snow of Wisconsin speaking about Alabama—standing up for this state. We also came back to the hot weather of Indiana and of Maryland. I can tell you the whole nation watched you and me, not just me, because these victories in those states for our cause was not a victory for George Wallace, it was a victory for the cause for which we stand. It is a victory that can be enlarged upon in the months to come and I am sure it is going to be evident in the voting on November 3.

Yes, the whole nation has been talking about you and me.

I hope the Legislature has concluded its business by late August at least or even before then because I am going to be out of this state and I am going to speak in every part of these United States, the same speeches I have been making in other parts of the country because people are beginning to awaken and when they are awakened sufficiently, and I believe that they are awakening as of this moment, we are going to rectify some of the wrongs that have been brought on the American people in the name of the so-called Civil Rights Bill—in the name of this philosophy that would destroy property rights and the free enterprise system and destroy conservative government in the United States.

And so, since I am going to leave the latter part of August and since I don't want a prolonged filibuster I just say to the distinguished Senators who have a right to oppose me, and you have a perfectly Constitutional legal right to oppose me in any matter that you see fit, but I want you to do your opposing of me back in your own home counties of Morgan and Tuscaloosa and Tallapoosa and Montgomery where it won't cost the tax payers \$50,000 a week.

And I would like to say since I am going to other parts of the country to carry on this fight which has, as I said, in times before been mentally and physically exhausting, but has been stimulating on the other hand, to be able to stand up for the people of this state. And I shall continue to do so. If there are those who would, (and I say to these Senators that I mentioned, and I say in good humor to them), if they want to use their golden voices and their courage and their statesmanship and their desire to stand for the people of Alabama, let them go with me to stand before the jeering, howling, spitting, brick-throwing mobs that I have stood before and I'll introduce you to them. And I want to say that the overwhelming majority of this Legislature in my speeches and my campaigns raised money for me—you sent me telegrams—you sent me moral support—you even came in person, you offered to come in person, and you even sent other people in person and paid their expenses. So I say to those four that I have mentioned, now it is your time. Since you didn't do that in the beginning you may go with me now and when you get there if you still decide that you cannot go with Governor Wallace and must continue to fight him then we'll have—the bearded beatniks will have—plenty of signs all ready saying "Down with Wallace" waiting for you. I might say this—that it is dangerous, but you've got insurance and I'm sure that you are insured heavily—there will be bomb threats as there were upon my life, and all sorts of other threats, but I can tell you that if you go it will be a new experience and I think even you will be stimulated by the fight that the people of Alabama have put up in other parts of the country in defense of everything we have known is right and good and just.

I also ask the people of Alabama and this Legislature to check this administration. You compare it with any administration in Alabama's history from the last administration or any of them. You compare them on the basis of honesty in government, competitive bidding—you compare them on the matter of education and health and old age pensions and help to the mentally ill and the sick and I'll tell you this administration, with the help of the overwhelming majority of the people in this joint session, in my judgment has the most outstanding record.

I'm not giving anybody an excuse to fight the Wallace administration any further. I ask you in the Senate to recommit this bill to the committee from whence it came and get on with the business at hand. Thank you very much.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

ADJOURNMENT

On motion of Mr. Sullivan, the House, in accordance with S. J. R. 4 heretofore adopted, adjourned until Tuesday, August 11, 1964, at two o'clock P.M.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 11, 1964

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend James F. Grant, Pastor, The Alliance Church, Prattville, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hankins	Pennington
Albea	Collins	Hannah	Perry
Avery	Cook	Harper	Pierce
Bailes	Cooper	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Bethea (B)	Doggett	Ingram	Rogers
Bethea (M)	Dominick	Jones (Govington)	Salter
Bevill	Downing	Jones (Monroe)	Scurlock
Blanton	Drake	Little	Sessions
Bolton	Edington	Locke	Slate
Boston	Edwards (Escambia)	McCorquodale	Smith
Bowers	Edwards (Lowndes)	McDermott	Snell
Branyon	Engel	Mashburn	Steagall
Brown (Jefferson)	Etheredge	Meade	Stembridge
Brown (Tuscaloosa)	Faulk	Meeks	Sullivan
Burns	Fields	Merrill	Teel
Callahan	Fite	Moore	Thomas
Camp	Gilmore	Morrow	Tuck
Campbell (Jackson)	Glass	Nabors	Turner (Grenshaw)
Campbell (Tuscaloosa)	Goldthwaite	NeSmith	Turner (Limestone)
Cantrell	Goodwyn	Nettles	Turnham
Carr	Grouby	Owens	Vacca
Casey	Hain	Paulk	

—103

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Rogers leave of absence was granted to Mr. Wood because of personal illness.

UNANIMOUS CONSENT GRANTED

Mr. Powell requested unanimous consent to grant leave of absence to Mr. Young because of personal illness, and it was so granted.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Brewer, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 21. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business, at this time, taking precedence over any other business of the House:

1. House Bill 114 on page 8.
2. House Bill 111 on page 1.
3. Uncontested Local Bills.

And H. R. 21 was adopted.

JOINT SESSION

The hour of 2:15 o'clock P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 8 heretofore adopted, for the purpose of hearing an address by Miss Katy Sue Meredith of Andalusia, Alabama, National Maid of Cotton.

The joint session was called to order by Hon. James B. Allen, Lieutenant Governor and Presiding Officer of the Senate.

Miss Meredith was introduced by Hon. James B. Allen, Lieutenant Governor and Presiding Officer of the Senate.

Thereupon Miss Meredith delivered her address to the Legislature of Alabama.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

RESOLUTION

The following resolution was introduced:

By Messrs. Callahan, Sullivan and Pruitt:

H. J. R. 22. WHEREAS, Montgomery County, Pickens County and the entire State of Alabama have suffered a grievous loss in the death of former Representative Gilbert Eugene Davis, Sr.; and

WHEREAS, Gilbert Eugene Davis, Sr. served his native Pickens County as a representative honorably and well in the Legislature of Alabama from 1931 through 1935; and

WHEREAS, in later years he served the Legislature of Alabama in the capacity of Sergeant at Arms and in other capacities; and

WHEREAS, he always conducted himself as a gentleman and a statesman and gave of his time, his substance and his talents to the building up of this state and to the fraternal and religious life of his community; and

WHEREAS, he was an ever loving father and general all round good citizen, and demonstrated a remarkable capacity for friendship which endeared his memory to countless hundreds of Alabamians who are now grieved and saddened by his passing and shall miss him with a feeling of great personal loss, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses thereof concurring, that we express our sincere appreciation for the personal life of Gilbert Eugene Davis, Sr. as a public servant, a Christian gentleman, a mason, a husband and father, and as a good and true man, and we extend to the members of his family an expression of our sincere sympathy in their great loss.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to his surviving widow, Mrs. Leona Davis, and to his surviving sons, Colonel Willis Davis of Washington, D. C., and the Honorable Emmett Davis, of Montgomery, Alabama, and the Honorable Gilbert Eugene Davis, Jr., of Prattville, Alabama, and to his daughter Mrs. Harold Downing, of Vernon, Alabama.

On motion of Mr. Callahan the rules were suspended and H. J. R. 22 was adopted.

UNANIMOUS CONSENT GRANTED

Mr. Pruitt requested unanimous consent to add the names of Messrs. Nettles, Hankins, Branyon, Barnett, Davis, Brown (Tuscaloosa), Fite, Reynolds, Jones (Monroe), Grouby, Merrill, Hawkins, Faulk, Avery and Bolton as co-authors of the above and foregoing H. J. R. 22, and it was so granted.

BILLS ON THIRD READING

SPECIAL ORDER

The House proceeded to the consideration of the Special Order

And the bill:

H. 114. To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

Was taken up.

Mr. Bethea (M) offered the following substitute for the bill, H. 114:

A BILL TO BE ENTITLED AN ACT

To divide the State into Congressional districts and provide for election of congressmen by Districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The state is hereby divided into eight congressional districts each composed of counties as follows:

FIRST DISTRICT

Choctaw, Greene, Marengo, Mobile, Sumter, Washington.

SECOND DISTRICT

Autauga, Baldwin, Butler, Chilton, Clarke, Conecuh, Covington, Crenshaw, Dallas, Elmore, Escambia, Lowndes, Monroe, Pike, Wilcox.

THIRD DISTRICT

Barbour, Bullock, Coffee, Dale, Geneva, Houston, Henry, Montgomery, Russell.

FOURTH DISTRICT

Calhoun, Chambers, Clay, Cleburne, Coosa, Lee, Macon, Randolph, St. Clair, Talladega, Tallapoosa.

FIFTH DISTRICT

Bibb, Hale, Perry, Shelby, Tuscaloosa, Jefferson Precincts 33, 53, 25, and 59.

SIXTH DISTRICT

All Jefferson except precincts 33, 53, 25, and 59.

SEVENTH DISTRICT

Blount, Cherokee, Cullman, DeKalb, Etowah, Fayette, Lamar, Marion, Marshall, Pickens, Walker, Winston.

EIGHTH DISTRICT

Colbert, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, Morgan.

Section 2. Code of Alabama 1940, Title 17, Section 426 is hereby amended to read as follows:

"Section 426. Each congressional district is entitled to one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November 1966, and every two years thereafter."

On motion of Mr. Fite the substitute offered by Mr. Bethea (M) was laid upon the table.

Yeas 63; Nays 35.

Yeas:

Mr. Speaker	Cornett	Grouby	Paulk
Avery	Crawford	Hankins	Posey
Baker (Madison)	Daniel	Hannah	Powell
Bassett	Davis	Harper	Pruitt
Betha (M)	Doggett	Heflin	Reynolds
Bevill	Downing	Hester	Rogers
Boston	Drake	Hogan	Scurlock
Branyon	Edington	Holladay	Smith
Callahan	Edwards (Escambia)	Jones (Monroe)	Stembridge
Campbell (Jackson)	Edwards (Lowndes)	McDermott	Sullivan
Campbell (Tuscaloosa)	Engel	Mashburn	Thomas
Cantrell	Faulk	Meade	Tuck
Casey	Fields	Moore	Turner (Grenshaw)
Cates	Fite	Nabors	Turner (Limestone)
Cook	Glass	Nettles	Turnham
Cooper	Goldthwaite	Owens	

—63

Nays:

Messrs.	Blanton	Carr	Hain
Albea	Bowers	Collins	Hawkins
Bailes	Brown (Jefferson)	Dominick	Ingram
Baker (DeKalb)	Brown (Tuscaloosa)	Etheredge	Jones (Covington)
Betha (S)	Camp	Gilmore	Little

Locke	Morrow	Pierce	Snell
McCorquodale	NeSmith	Rast	Steagall
Meeks	Pennington	Sessions	Teel
Merrill	Perry	Slate	Vacca

—35

Mr. Bethea (M) offered the following substitute for the bill, H. 114:

A BILL
TO BE ENTITLED
AN ACT

To divide the State into Congressional Districts and provide for election of Congressmen by Districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

“Section 425. The State is hereby divided into eight Congressional Districts each composed of counties as follows:

FIRST DISTRICT

Clarke, Choctaw, Greene, Mobile, Sumter, Washington.

SECOND DISTRICT

Baldwin, Butler, Coffee, Conecuh, Covington, Crenshaw, Dallas, Escambia, Geneva, Lowndes, Marengo, Monroe, Perry, Pike, Wilcox.

THIRD DISTRICT

Barbour, Bullock, Dale, Henry, Houston, Lee, Montgomery, Russell.

FOURTH DISTRICT

Autauga, Calhoun, Chambers, Chilton, Clay, Cleburne, Coosa, Elmore, Macon, Randolph, Talladega, Tallapoosa.

FIFTH DISTRICT

Bibb, Shelby, St. Clair, All Jefferson Precincts except 33, 25, 9, and 45.

SIXTH DISTRICT

Hale, Tuscaloosa, Jefferson Precincts 33, 25, 9, and 45.

SEVENTH DISTRICT

Blount, Cherokee, Cullman, DeKalb, Etowah, Fayette, Lamar, Marion, Marshall, Pickens, Walker, Winston.

EIGHTH DISTRICT

Colbert, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, Morgan”.

Section 2. Code of Alabama 1940, Title 17, Section 426 is hereby amended to read as follows:

“Section 426. Each Congressional District is entitled to one Representative in the Congress of the United States, who shall be chosen by the qualified electors of the District at the General Election in November 1966, and every two years thereafter.”

On motion of Mr. Fite the substitute offered by Mr. Bethea (M) was laid upon the table.

Yeas 73; Nays 26.

Yeas:

Mr. Speaker	Collins	Goodwyn	Owens
Albea	Cook	Grouby	Paulk
Avery	Cooper	Hankins	Pierce
Baker (Madison)	Cornett	Hannah	Posey
Barnett	Crawford	Harper	Powell
Bassett	Daniel	Heflin	Pruitt
Bevill	Davis	Hester	Reynolds
Bolton	Doggett	Hogan	Rogers
Boston	Downing	Holladay	Scurlock
Branyon	Drake	Jones (Monroe)	Smith
Brown (Tuscaloosa)	Edington	McCorquodale	Steagall
Burns	Edwards (Escambia)	McDermott	Stembridge
Callahan	Edwards (Lowndes)	Mashburn	Sullivan
Camp	Faulk	Meade	Thomas
Campbell (Jackson)	Fields	Merrill	Tuck
Campbell (Tuscaloosa)	Fite	Moore	Turner (Crenshaw)
Cantrell	Glass	Nabors	Turner (Limestone)
Casey	Goldthwaite	Nettles	Turnham
Cates			

—73

Nays:

Messrs.	Brown (Jefferson)	Ingram	Perry
Bailes	Carr	Jones (Covington)	Rast
Baker (DeKalb)	Dominick	Locke	Sessions
Bethea (B)	Etheredge	Meeks	Slate
Bethea (M)	Gilmore	Morrow	Snell
Blanton	Hain	NeSmith	Vacca
Bowers	Hawkins	Pennington	

—26

Mr. Fite offered the following amendment to the bill, H. 114:

AMENDMENT TO H. B. 114

In Section 1, strike out the second paragraph beginning with the words and figures "Section 425." and insert in lieu thereof the following:

"Section 425. The State is hereby divided into eight congressional districts as follows: The first district shall be composed of the counties of Mobile, Baldwin, Escambia and Conecuh. The second district shall be composed of the counties of Washington, Clarke, Monroe, Wilcox, Marengo, Choctaw, Sumter, Greene, Tuscaloosa, Hale, Bibb, Perry, Dallas, Lowndes and Butler. The third district shall be composed of the counties of Covington, Crenshaw, Montgomery, Macon, Bullock, Pike, Coffee, Geneva, Dale, Houston, Henry and Barbour. The fourth district shall be composed of the counties of Autauga, Elmore, Calhoun, Tallapoosa, Lee, Russell, Chambers, Randolph, Coosa, Clay and Cleburne. The fifth district shall be composed of the counties of Chilton, Shelby, Talladega, St. Clair, Blount, Marshall, DeKalb, Etowah and Cherokee. The sixth district shall be composed of the county of Jefferson excluding Precincts 33, 53, 39, 38, 19 and 16, as such precincts were constituted August 1, 1961. The seventh district shall be composed of the counties of Franklin, Marion, Lamar, Pickens, Fayette, Winston, Cullman and Walker, and also Precincts 33, 53, 39, 38, 19 and 16 in Jefferson County, as such precincts were constituted on August 1, 1961.

The eighth district shall be composed of the counties of Colbert, Lauderdale, Lawrence, Morgan, Limestone, Madison and Jackson."

On motion of Mr. Barnett the amendment offered by Mr. Fite was laid upon the table.

Yeas 77; Nays 18.

Yeas:

Mr. Speaker	Carr	Goldthwaite	Owens
Albea	Casey	Grouby	Paulk
Avery	Cates	Hain	Pennington
Bailes	Collins	Hannah	Perry
Baker (DeKalb)	Cook	Hawkins	Pierce
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Cornett	Holladay	Pruitt
Bassett	Crawford	Ingram	Rast
Bethea (B)	Davis	Jones (Covington)	Reynolds
Bethea (M)	Doggett	Little	Salter
Blanton	Dominick	Locke	Smith
Bolton	Downing	McCorquodale	Steagall
Boston	Drake	McDermott	Stembridge
Bowers	Edwards (Escambia)	Mashburn	Thomas
Brown (Jefferson)	Edwards (Lowndes)	Meade	Tuck
Brown (Tuscaloosa)	Etheredge	Merrill	Turner (Crenshaw)
Burns	Faulk	Morrow	Turner (Limestone)
Callahan	Gilmore	Nabors	Turnham
Camp	Glass	NeSmith	Vacca
Campbell (Tuscaloosa)			

—77

Nays:

Messrs.	Daniel	Harper	Rogers
Bevill	Edington	Hester	Scurlock
Blanton	Fields	Hogan	Slate
Campbell (Jackson)	Fite	Nettles	Sullivan
Cantrell	Hankins	Posey	

—18

Mr. Bethea (M) offered the following substitute for the bill, H. 114:

A BILL
TO BE ENTITLED
AN ACT

To divide the State into Congressional Districts and provide for election of Congressmen by Districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The State is hereby divided into four Congressional Districts each composed of counties as follows:

FIRST DISTRICT

Baldwin, Bibb, Chilton, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale, Marengo, Mobile, Monroe, Perry, Sumter, Tuscaloosa, Washington, Wilcox.

SECOND DISTRICT

Autauga, Barbour, Bullock, Butler, Chambers, Clay, Coffee, Coosa, Covington, Crenshaw, Dale, Elmore, Geneva, Henry, Houston, Lee, Lowndes, Macon, Montgomery, Pike, Randolph, Russell, Talladega, Tallapoosa.

THIRD DISTRICT

Blount, Etowah, Jefferson, St. Clair, Shelby.

FOURTH DISTRICT

Calhoun, Cherokee, Cleburne, Colbert, Cullman, DeKalb, Fayette, Franklin, Jackson, Lamar, Lauderdale, Lawrence, Limestone, Marion, Madison, Marshall, Morgan, Pickens, Walker, Winston.

Section 2. Code of Alabama 1940, Title 17, Section 426 is hereby amended to read as follows:

"Section 426. Each Congressional District is entitled to two Representatives in the Congress of the United States, who shall be chosen by the qualified electors of the District at the General Election in November 1966, and every two years thereafter."

On motion of Mr. Powell the substitute offered by Mr. Bethea (M) was laid upon the table.

Yeas 71; Nays 22.

Yeas:

Mr. Speaker	Cates	Heflin	Pruitt
Albea	Cook	Hogan	Reynolds
Avery	Cooper	Holladay	Rogers
Bailes	Cornett	Ingram	Salter
Baker (DeKalb)	Crawford	Jones (Covington)	Scurlock
Baker (Madison)	Davis	McCorquodale	Slate
Barnett	Doggett	Mashburn	Smith
Bassett	Downing	Meade	Snell
Bevill	Edington	Merrill	Steagall
Bolton	Edwards (Escambia)	Moore	Stembridge
Boston	Edwards (Lowndes)	Nabors	Sullivan
Branyon	Faulk	NeSmith	Teel
Burns	Fields	Owens	Thomas
Callahan	Glass	Paulk	Tuck
Camp	Grouby	Pennington	Turner (Crenshaw)
Campbell (Jackson)	Hankins	Pierce	Turner (Limestone)
Cantrell	Hannah	Posey	Turnham
Casey	Harper	Powell	

—71

Nays:

Messrs.	Carr	Gilmore	Nettles
Bethea (B)	Collins	Hawkins	Perry
Bethea (M)	Daniel	Hester	Rast
Bowers	Dominick	Little	Sessions
Brown (Jefferson)	Etheredge	Locke	Vacca
Brown (Tuscaloosa)	Fite	Morrow	

—22

Mr. Bethea (M) offered the following substitute for the bill, H. 114:

A BILL
TO BE ENTITLED
AN ACT

To divide the state into congressional districts and provide for election of congressmen by districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The state is hereby divided into eight congressional districts each composed of counties as follows:

FIRST DISTRICT

Baldwin, Escambia, Mobile, Washington.

SECOND DISTRICT

Butler, Choctaw, Clarke, Coffee, Conecuh, Covington, Crenshaw, Dale, Geneva, Greene, Houston, Marengo, Monroe, Pike, Sumter, Wilcox.

THIRD DISTRICT

Autauga, Barbour, Bullock, Dallas, Henry, Lee, Lowndes, Montgomery, Russell.

FOURTH DISTRICT

Calhoun, Chambers, Chilton, Clay, Cleburne, Coosa, Elmore, Macon, Randolph, St. Clair, Talladega, Tallapoosa.

FIFTH DISTRICT

Bibb, Hale, Perry, Shelby, Tuscaloosa, Jefferson Precincts 33, 53, 25, and 59.

SIXTH DISTRICT

All Jefferson except Precincts 33, 53, 25, and 59.

SEVENTH DISTRICT

Blount, Cherokee, Cullman, DeKalb, Etowah, Fayette, Lamar, Marion, Marshall, Pickens, Walker, Winston.

EIGHTH DISTRICT

Colbert, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, Morgan".

Section 2. Code of Alabama 1940, Title 17, Section 426 is hereby amended to read as follows:

"Section 426. Each congressional district is entitled to one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November 1966, and every two years thereafter."

On motion of Mr. Jones (Covington) the substitute offered by Mr. Bethea (M) was laid upon the table.

Yeas 68; Nays 29.

Yeas:

Mr. Speaker	Cates	Hannah	Paulk
Avery	Cook	Harper	Pierce
Baker (Madison)	Cooper	Heflin	Posey
Barnett	Crawford	Hester	Powell
Bassett	Davis	Holladay	Pruitt
Bevill	Doggett	Ingram	Reynolds
Blanton	Downing	Jones (Covington)	Scurlock
Bolton	Drake	Jones (Monroe)	Smith
Boston	Edwards (Escambia)	Locke	Snell
Branyon	Edwards (Lowndes)	McCorquodale	Steagall
Brown (Tuscaloosa)	Engel	McDermott	Stembridge
Burns	Faulk	Mashburn	Sullivan
Callahan	Fite	Meade	Thomas
Camp	Glass	Merrill	Tuck
Campbell (Jackson)	Goldthwaite	Moore	Turner (Crenshaw)
Cantrell	Grouby	Nabors	Turner (Limestone)
Casey	Hankins	Owens	Turnham

—68

Nays:

Messrs.	Carr	Hawkins	Pennington
Albea	Collins	Hogan	Perry
Bailes	Daniel	Little	Rast
Baker (DeKalb)	Edington	Meeks	Rogers
Bethea (B)	Etheredge	Morrow	Sessions
Bethea (M)	Fields	NeSmith	Slate
Bowers	Gilmore	Nettles	Vacca
Brown (Jefferson)	Hain		

—29

Mr. Bethea (M) offered the following substitute for the bill, H. 114:

A BILL
TO BE ENTITLED
AN ACT

To divide the state into congressional districts and provide for election of congressmen by districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The state is hereby divided into eight congressional districts each composed of counties as follows:

FIRST DISTRICT

Clarke, Choctaw, Greene, Mobile, Sumter, Washington.

SECOND DISTRICT

Baldwin, Butler, Coffee, Conecuh, Covington, Crenshaw, Dallas, Escambia, Geneva, Hale, Marengo, Monroe, Perry, Pike, Wilcox.

THIRD DISTRICT

Barbour, Bullock, Dale, Henry, Houston, Lee, Lowndes, Montgomery, Russell.

FOURTH DISTRICT

Autauga, Calhoun, Chambers, Chilton, Clay, Cleburne, Coosa, Elmore, Macon, Randolph, Talladega, Tallapoosa.

FIFTH DISTRICT

Tuscaloosa, Jefferson Precincts 33, 25, 9, and 45.

SIXTH DISTRICT

Bibb, Shelby, St. Clair, All Jefferson Precincts except 33, 25, 9, and 45.

SEVENTH DISTRICT

Blount, Cherokee, Cullman, DeKalb, Etowah, Fayette, Lamar, Marion, Marshall, Pickens, Walker, Winston.

EIGHTH DISTRICT

Colbert, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, Morgan."

Section 2. Code of Alabama 1940, Title 17, Section 426 is hereby amended to read as follows:

"Section 426. Each congressional district is entitled to one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November 1966, and every two years thereafter."

On motion of Mr. Nettles, the bill, H. 114, and pending substitute, was indefinitely postponed.

Yeas 50; Nays 48.

Yeas:

Messrs.	Daniel	Heflin	Pierce
Baker (Madison)	Doggett	Hester	Posey
Bassett	Downing	Holladay	Pruitt
Bethea (B)	Drake	Jones (Monroe)	Reynolds
Bethea (M)	Edwards (Escambia)	Little	Rogers
Bevill	Edwards (Lowndes)	Locke	Scurlock
Blanton	Etheredge	McCorquodale	Smith
Bowers	Fields	Morrow	Snell
Branyon	Gilmore	NeSmith	Stembridge
Brown (Jefferson)	Glass	Nettles	Sullivan
Carr	Hain	Paulk	Tuck
Cooper	Hankins	Pennington	Vacca
Crawford	Hawkins	Perry	

—50

Nays:

Mr. Speaker	Campbell (Jackson)	Goodwyn	Owens
Albea	Cantrell	Hannah	Powell
Avery	Casey	Harper	Rast
Bailes	Cates	Hogan	Salter
Baker (DeKalb)	Collins	Ingram	Sessions
Barnett	Cook	Jones (Covington)	Slate
Bolton	Cornett	McDermott	Steagall
Boston	Davis	Meade	Teel
Brown (Tuscaloosa)	Edington	Meeks	Thomas
Burns	Engel	Merrill	Turner (Crenshaw)
Callahan	Fite	Moore	Turner (Limestone)
Camp	Goldthwaite	Nabors	Turnham

—48

RECESS

On motion of Mr. Turner (Crenshaw) the House recessed until 4:30 o'clock this afternoon.

HOUSE RECONVENED

The hour of 4:30 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

MOTION TO TABLE LOST

The motion of Mr. Perry to lay on the table the motion of Mr. Holladay to reconsider the vote by which the bill, H. 114, and pending substitute, was indefinitely postponed, was lost.

Yeas 29; Nays 68.

Yeas:

Messrs.	Brown (Tuscaloosa)	Goldthwaite	Nettles
Bassett	Cornett	Hankins	Perry
Bethea (B)	Daniel	Hawkins	Posey
Bethea (M)	Dominick	Hester	Rogers
Bevill	Drake	Jones (Monroe)	Scurlock
Blanton	Edwards (Lowndes)	Locke	Sessions
Branyon	Etheredge	Morrow	Sullivan
Brown (Jefferson)	Fite		

—29

Nays:

Mr. Speaker	Cates	Heflin	Pierce
Albea	Collins	Hogan	Powell
Avery	Cook	Holladay	Pruitt
Bailes	Cooper	Ingram	Rast
Baker (DeKalb)	Crawford	Jones (Covington)	Reynolds
Baker (Madison)	Davis	McCorquodale	Salter
Barnett	Doggett	McDermott	Slate
Bolton	Downing	Mashburn	Smith
Boston	Edington	Meade	Snell
Burns	Edwards (Escambia)	Meeks	Steagall
Callahan	Engel	Merrill	Stembridge
Camp	Faulk	Moore	Teel
Campbell (Jackson)	Fields	Nabors	Thomas
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Tuck
Cantrell	Grouby	Owens	Turner (Crenshaw)
Carr	Hannah	Paulk	Turner (Limestone)
Casey	Harper	Pennington	Turnham

—68

MOTION TO RECONSIDER ADOPTED

The question was then on the motion of Mr. Holladay to reconsider the vote by which the bill, H. 114, and pending substitute, was indefinitely postponed, and the motion to reconsider was adopted.

Yeas 74; Nays 19.

Yeas:

Mr. Speaker	Baker (Madison)	Bowers	Campbell (Jackson)
Albea	Barnett	Brown (Tuscaloosa)	Campbell (Tuscaloosa)
Avery	Blanton	Burns	Cantrell
Bailes	Bolton	Callahan	Carr
Baker (DeKalb)	Boston	Camp	Casey

Cates	Fite	Mashburn	Rast
Collins	Gilmore	Meade	Reynolds
Cook	Goodwyn	Meeks	Salter
Cooper	Grouby	Merrill	Slate
Cornett	Hankins	Moore	Smith
Crawford	Hannah	Nabors	Snell
Davis	Harper	NeSmith	Steagall
Doggett	Heflin	Owens	Stembridge
Downing	Hogan	Paulk	Teel
Edington	Holladay	Pennington	Thomas
Edwards (Escambia)	Ingram	Pierce	Turner (Crenshaw)
Engel	Jones (Covington)	Powell	Turner (Limestone)
Faulk	McCorquodale	Pruitt	Turnham
Fields	McDermott		

—74

Nays:

Messrs.	Dominick	Jones (Monroe)	Posey
Bethea (B)	Drake	Locke	Rogers
Bevill	Goldthwaite	Morrow	Scurlock
Brown (Jefferson)	Hawkins	Nettles	Sessions
Daniel	Hester	Perry	Sullivan

—19

And the bill:

H. 114. To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

Was again taken up.

The question was on the adoption of the substitute offered by Mr. Bethea (M) for the bill H. 114, and on motion of Mr. Barnett said substitute was laid upon the table.

Yeas 88; Nays 8.

Yeas:

Mr. Speaker	Cook	Hawkins	Posey
Albea	Cooper	Heflin	Powell
Avery	Crawford	Hester	Pruitt
Bailes	Daniel	Hogan	Rast
Baker (DeKalb)	Davis	Holladay	Reynolds
Baker (Madison)	Doggett	Ingram	Rogers
Barnett	Downing	Jones (Covington)	Salter
Bassett	Drake	Jones (Monroe)	Scurlock
Bevill	Edington	Little	Sessions
Bolton	Edwards (Escambia)	McCorquodale	Slate
Boston	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Mashburn	Snell
Brown (Jefferson)	Etheredge	Meade	Steagall
Burns	Faulk	Merrill	Stembridge
Callahan	Fields	Moore	Sullivan
Camp	Fite	Morrow	Teel
Campbell (Jackson)	Glass	Nabors	Thomas
Campbell (Tuscaloosa)	Goodwyn	Owens	Tuck
Cantrell	Grouby	Paulk	Turner (Crenshaw)
Casey	Hankins	Pennington	Turner (Limestone)
Cates	Hannah	Perry	Turnham
Collins	Harper	Pierce	Vacca

—88

Nays:

Messrs.
Bowers
Carr

Dominick
Gilmore

Goldthwaite
Hain

Meeks
Nettles

—8

Mr. Bailes offered the following substitute for the bill, H. 114:

SUBSTITUTE FOR H. B. 114

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The State of Alabama is hereby divided into eight congressional districts as follows: The first district shall be composed of the counties of Clarke, Choctaw, Mobile, Monroe, Washington and Wilcox. The second district shall be composed of the counties of Baldwin, Butler, Conecuh, Crenshaw, Escambia, Lowndes, Montgomery, and Pike. The third district shall be composed of the counties of Barbour, Bullock, Coffee, Covington, Dale, Geneva, Henry, Houston, Lee, Macon and Russell. The fourth district shall be composed of the counties of Autauga, Calhoun, Chambers, Clay, Cleburne, Coosa, Elmore, Randolph, St. Clair, Talladega and Tallapoosa. The fifth district shall be composed of the counties of Blount, Cherokee, Cullman, DeKalb, Etowah, Franklin, Marion, Marshall, Walker and Winston. The sixth district shall be composed of the counties of Bibb, Chilton, Dallas, Fayette, Greene, Hale, Lamar, Marengo, Perry, Pickens, Shelby, Sumter and Tuscaloosa. The seventh district shall be composed of the county of Jefferson. The eighth district shall be composed of the counties of Colbert, Jackson, Lauderdale, Lawrence, Limestone, Madison and Morgan."

Section 2. Code 1940, Title 17, Section 426 is amended to read as follows:

"Section 426. Each congressional district is entitled to elect one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November 1964, and every two years thereafter."

The motion of Mr. Jones (Covington) to lay on the table the substitute offered by Mr. Bailes was lost.

Yeas 34; Nays 66.

Yeas:

Messrs.
Bethea (M)
Bethea (M)
Bevill
Blanton
Branyon
Burns
Carr
Dominick

Drake
Edington
Etheredge
Fite
Goldthwaite
Hain
Hankins
Hawkins
Hester

Holladay
Jones (Covington)
Little
Locke
McCorquodale
Meade
Morrow
Nettles
Owens

Perry
Posey
Rast
Rogers
Salter
Scurlock
Snell
Sullivan

—34

Nays:

Mr. Speaker	Cantrell	Grouby	Pierce
Albea	Casey	Hannah	Powell
Avery	Cates	Harper	Pruitt
Bailes	Collins	Heflin	Reynolds
Baker (DeKalb)	Cook	Hogan	Sessions
Baker (Madison)	Cooper	Ingram	Slate
Barnett	Crawford	Jones (Monroe)	Smith
Bassett	Daniel	McDermott	Steagall
Bolton	Doggett	Mashburn	Stembridge
Boston	Downing	Meeks	Teel
Bowers	Edwards (Escambia)	Merrill	Thomas
Brown (Jefferson)	Edwards (Lowndes)	Moore	Tuck
Brown (Tuscaloosa)	Engel	Nabors	Turner (Crenshaw)
Callahan	Faulk	NeSmith	Turner (Limestone)
Camp	Gilmore	Paulk	Turnham
Campbell (Jackson)	Glass	Pennington	Vacca
Campbell (Tuscaloosa)	Goodwyn		

—66

The motion of Mr. Drake to postpone further consideration of the bill, H. 114, and pending substitute, until the next legislative day, was lost.

*Yeas 45; Nays 55.**Yeas:*

Messrs.	Dominick	Jones (Covington)	Posey
Baker (DeKalb)	Drake	Little	Rast
Bethea (B)	Edwards (Escambia)	Locke	Rogers
Bethea (M)	Fite	McCorquodale	Salter
Bevill	Goldthwaite	Mashburn	Scurlock
Blanton	Grouby	Meade	Sessions
Branyon	Hain	Meeks	Snell
Brown (Tuscaloosa)	Hankins	Morrow	Stembridge
Burns	Hawkins	Nettles	Sullivan
Collins	Heflin	Paulk	Tuck
Cornett	Hester	Perry	Turnham
Davis	Ingram		

—45

Nays:

Mr. Speaker	Campbell (Tuscaloosa)	Faulk	Pennington
Albea	Cantrell	Gilmore	Pierce
Avery	Carr	Glass	Powell
Bailes	Casey	Goodwyn	Pruitt
Baker (Madison)	Cates	Hannah	Reynolds
Barnett	Cook	Harper	Slate
Bassett	Cooper	Hogan	Smith
Bolton	Crawford	Holladay	Steagall
Boston	Daniel	McDermott	Teel
Bowers	Doggett	Merrill	Thomas
Brown (Jefferson)	Downing	Moore	Turner (Crenshaw)
Callahan	Edington	Nabors	Turner (Limestone)
Camp	Edwards (Lowndes)	NeSmith	Vacca
Campbell (Jackson)	Engel	Owens	

—55

The question was then on the adoption of the substitute offered by Mr. Bailes for the bill, H. 114, and said substitute was adopted.

Yeas 69; Nays 32.

Yeas:

Mr. Speaker	Casey	Goodwyn	Pennington
Albea	Cates	Grouby	Pierce
Avery	Collins	Hannah	Powell
Bailes	Cook	Harper	Pruitt
Baker (DeKalb)	Cooper	Heflin	Reynolds
Baker (Madison)	Cornett	Hogan	Salter
Barnett	Crawford	Holladay	Sessions
Bassett	Doggett	Ingram	Slate
Bolton	Downing	Jones (Monroe)	Smith
Boston	Edington	McCorquodale	Steagall
Bowers	Edwards (Escambia)	McDermott	Teel
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Thomas
Brown (Tuscaloosa)	Engel	Meeks	Tuck
Callahan	Faulk	Merrill	Turner (Crenshaw)
Camp	Fields	Moore	Turner (Limestone)
Campbell (Jackson)	Gilmore	NeSmith	Turnham
Campbell (Tuscaloosa)	Glass	Paulk	Vacca
Cantrell			

—69

Nays:

Messrs.	Dominick	Hester	Owens
Bethea (B)	Drake	Jones (Covington)	Perry
Bethea (M)	Etheredge	Little	Posey
Byvill	Fite	Locke	Rast
Blanton	Goldthwaite	Meade	Rogers
Branyon	Hain	Morrow	Scurlock
Burns	Hankins	Nabors	Snell
Carr	Hawkins	Nettles	Sullivan
Davis			

—32

Mr. Jones (Covington) offered the following substitute for the bill, H. 114, as amended:

A BILL
TO BE ENTITLED
AN ACT

To divide the state into congressional districts and provide for election of congressmen by districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The state is hereby divided into eight congressional districts as follows: The first congressional district shall be composed of the counties of Mobile, Washington, Clarke, Monroe, Wilcox, and Choctaw. The second congressional district shall be composed of the counties of Montgomery, Lowndes, Butler, Crenshaw, Pike, Covington, Baldwin, Conecuh, Escambia, and Autauga. The third congressional district shall be composed of the counties of Elmore, Houston, Lee, Macon, Russell, Bullock, Barbour, Coffee, Dale, Henry, Geneva, Tallapoosa, and Chambers. The fourth congressional district shall be composed of the counties of St. Clair, Calhoun, Talladega, Clay, Coosa, Dallas, Bibb, Shelby, Perry, Chilton, Marengo, and Sumter. The fifth congressional

district shall be composed of the counties of Marshall, DeKalb, Etowah, Cherokee, Cleburne, Randolph, Blount, Cullman, Walker, Lamar, Marion, and Winston. The sixth congressional district shall be composed of the counties of Hale, Greene, Tuscaloosa, Jefferson, Pickens, and Fayette. The seventh congressional district shall be composed of the counties of Hale, Greene, Tuscaloosa, Jefferson, Pickens, and Fayette. The eighth congressional district shall be composed of the counties of Limestone, Colbert, Lauderdale, Morgan, Lawrence, Jackson, Madison, and Franklin."

Section 2. Code of Alabama 1940, Title 17, Section 426 is hereby amended to read as follows:

"Section 426. Each congressional district is entitled to one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November, 1964, and every two years thereafter."

On motion of Mr. Barnett the substitute offered by Mr. Jones (Covington) was laid upon the table.

Yeas 65; Nays 28.

Yeas:

Mr. Speaker	Casey	Grouby	Powell
Albea	Cates	Hannah	Pruitt
Avery	Cook	Harper	Reynolds
Bailes	Cooper	Heflin	Scurlock
Baker (Madison)	Cornett	Hester	Sessions
Barnett	Crawford	Holladay	Slate
Bevill	Daniel	Ingram	Smith
Blanton	Davis	Jones (Monroe)	Snell
Bolton	Drake	McDermott	Steagall
Boston	Edington	Merrill	Stembridge
Brown (Jefferson)	Edwards (Escambia)	Moore	Teel
Callahan	Engel	NeSmith	Thomas
Camp	Faulk	Paulk	Tuck
Campbell (Jackson)	Fields	Pennington	Turner (Crenshaw)
Campbell (Tuscaloosa)	Fite	Pierce	Turnham
Cantrell	Goldthwaite	Posey	Vacca
Carr			

—65

Nays:

Messrs.	Edwards (Lowndes)	Jones (Covington)	Nettles
Bethea (B)	Etheredge	Little	Owens
Bethea (M)	Goldthwaite	Locke	Perry
Bowers	Hain	McCorquodale	Rast
Burns	Hankins	Meade	Rogers
Collins	Hawkins	Meeks	Salter
Dominick	Hogan	Morrow	Turner (Limestone)
Downing			

—28

MOTION TO ADJOURN LOST

The motion of Mr. Jones (Covington) that the House adjourn until Friday, August 14, 1964, at ten o'clock A.M., was lost.

Yeas 34; Nays 65.

Yeas:

Messrs.	Bethea (B)	Bevill	Branyon
Baker (DeKalb)	Bethea (M)	Blanton	Brown (Jefferson)

Brown (Tuscaloosa)	Hawkins	Meade	Salter
Burns	Hester	Morrow	Scurlock
Drake	Ingram	Nettles	Smith
Fite	Jones (Covington)	Perry	Stembridge
Goldthwaite	Jones (Monroe)	Posey	Sullivan
Hain	Little	Powell	Teel
Hankins	McCorquodale	Rogers	

—34

Nays:

Mr. Speaker	Cates	Fields	Owens
Albea	Collins	Glass	Paulk
Avery	Cook	Goodwyn	Pennington
Bailes	Cooper	Grouby	Pierce
Baker (Madison)	Cornett	Hannah	Pruitt
Barnett	Crawford	Harper	Rast
Bassett	Daniel	Heflin	Reynolds
Bolton	Doggett	Hogan	Sessions
Boston	Dominick	Holladay	Slate
Bowers	Downing	Locke	Snell
Callahan	Edington	McDermott	Steagall
Camp	Edwards (Escambia)	Meeks	Thomas
Campbell (Jackson)	Edwards (Lowndes)	Merrill	Turner (Crenshaw)
Campbell (Tuscaloosa)	Engel	Moore	Turner (Limestone)
Cantrell	Etheredge	Nabors	Turnham
Carr	Faulk	NeSmith	Vacca
Casey			

—65

CONSIDERATION OF H. 114 RESUMED

H. 114. To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

As amended, was again taken up.

Mr. Fite offered the following amendment to the bill, H. 114, as amended:

In Section 1, strike out the second paragraph beginning with the words and figures "Section 425." and insert in lieu thereof the following:

"Section 425. The State of Alabama is hereby divided into eight congressional districts as follows: The first district shall be composed of the counties of Clarke, Choctaw, Mobile, Monroe, Washington and Wilcox. The second district shall be composed of the counties of Baldwin, Butler, Conecuh, Crenshaw, Escambia, Lowndes, Montgomery, and Pike. The third district shall be composed of the counties of Barbour, Bullock, Coffee, Covington, Dale, Geneva, Henry, Houston, Lee, Macon and Russell. The fourth district shall be composed of the counties of Autauga, Calhoun, Chambers, Clay, Cleburne, Coosa, Elmore, Randolph, St. Clair, Talladega and Tallapoosa. The fifth district shall be composed of the counties of Blount, Cherokee, Cullman, DeKalb, Etowah, Marshall, Walker and Winston. The sixth district shall be composed of the counties of Bibb, Chilton, Dallas, Fayette, Greene, Hale, Lamar, Marengo, Perry, Pickens, Shelby, Sumter and Tuscaloosa. The seventh district shall be composed of the county of Jefferson. The eighth district shall be composed of the counties of Colbert, Jackson, Lauderdale, Lawrence, Limestone, Madison, Morgan, Franklin and Marion."

The motion of Mr. Jones (Covington) to lay on the table the amendment offered by Mr. Fite was lost.

Yeas 47; Nays 48.

Yeas:

Messrs.	Cates	Glass	Pierce
Avery	Cornett	Goodwyn	Pruitt
Bailes	Daniel	Hankins	Reynolds
Baker (Madison)	Davis	Hawkins	Salter
Barnett	Dominick	Ingram	Sessions
Bassett	Downing	Jones (Covington)	Snell
Bowers	Edwards (Escambia)	Little	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Sullivan
Campbell (Jackson)	Engel	Moore	Tuck
Campbell (Tuscaloosa)	Faulk	Morrow	Turner (Crenshaw)
Carr	Fields	Pennington	Turner (Limestone)
Casey	Gilmore	Perry	Vacca

—47

Nays:

Mr. Speaker	Collins	Heflin	Owens
Albea	Cook	Hester	Paulk
Bevill	Cooper	Hogan	Posey
Blanton	Crawford	Holladay	Powell
Bolton	Doggett	Jones (Monroe)	Rogers
Boston	Drake	Locke	Scurlock
Branyon	Edington	McCorquodale	Slate
Brown (Tuscaloosa)	Etheredge	Meade	Smith
Burns	Fite	Merrill	Steagall
Callahan	Goldthwaite	Nabors	Teel
Camp	Hain	NeSmith	Thomas
Cantrell	Hannah	Nettles	Turnham

—48

The question was then on the adoption of the amendment offered by Mr. Fite to the bill, H. 114, as amended, and said amendment was adopted.

Yeas 56; Nays 37.

Yeas:

Messrs.	Collins	Hain	Owens
Albea	Cook	Hannah	Paulk
Baker (DeKalb)	Cooper	Harper	Posey
Bassett	Crawford	Heflin	Powell
Bevill	Doggett	Hester	Rast
Blanton	Drake	Holladay	Rogers
Bolton	Edington	Ingram	Scurlock
Boston	Edwards (Escambia)	Jones (Monroe)	Slate
Branyon	Edwards (Lowndes)	McCorquodale	Smith
Brown (Jefferson)	Etheredge	Meade	Snell
Burns	Faulk	Merrill	Steagall
Callahan	Fite	Nabors	Stembridge
Camp	Gilmore	NeSmith	Teel
Cantrell	Glass	Nettles	Thomas
Casey			

—56

Nays:

Mr. Speaker	Campbell (Tuscaloosa)	Downing	Hawkins
Avery	Carr	Engel	Hogan
Bailes	Cates	Fields	Jones (Covington)
Barnett	Cornett	Goldthwaite	Little
Brown (Tuscaloosa)	Daniel	Goodwyn	Locke
Campbell (Jackson)	Davis	Grouby	McDermott

Moore
Morrow
Pennington
Perry

Pierce
Pruitt
Reynolds

Salter
Sessions
Turner (Crenshaw)

Turner (Limestone)
Turnham
Vacca

—37

Mr. Bethea (M) offered the following substitute for the bill, H. 114, as amended:

A BILL
TO BE ENTITLED
AN ACT

To divide the state into congressional districts and provide for election of congressman by districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The state is hereby divided into eight congressional districts each composed of counties as follows:

FIRST DISTRICT

Baldwin, Escambia, Mobile, Washington.

SECOND DISTRICT

Butler, Choctaw, Clarke, Coffee, Conecuh, Covington, Crenshaw, Dale, Geneva, Greene, Houston, Marengo, Monroe, Pike, Sumter, Wilcox.

THIRD DISTRICT

Autauga, Barbour, Bullock, Dallas, Henry, Lee, Lowndes, Montgomery, Russell.

FOURTH DISTRICT

Calhoun, Chambers, Chilton, Clay, Cleburne, Coosa, Elmore, Macon, Randolph, St. Clair, Talladega, Tallapoosa.

FIFTH DISTRICT

Jefferson except Precincts 33, 53, 25, and 59.

SIXTH DISTRICT

Bibb, Hale, Perry, Shelby, Tuscaloosa, Jefferson Precincts 33, 53, 25, and 59.

SEVENTH DISTRICT

Blount, Colbert, Cullman, Fayette, Franklin, Lamar, Marion, Lawrence, Walker, Winston, Pickens, Etowah.

EIGHTH DISTRICT

Cherokee, DeKalb, Etowah, Jackson, Madison, Marshall, Morgan, Limestone, Lauderdale.

Section 2. Code of Alabama 1940, Title 17, Section 426 is hereby amended to read as follows:

"Section 426. Each congressional district is entitled to one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November, 1966, and every two years thereafter."

On motion of Mr. Bailes the substitute offered by Mr. Bethea (M) was laid upon the table.

Yeas 79; Nays 12.

Yeas:

Mr. Speaker	Cates	Goodwyn	Paulk
Albea	Collins	Grouby	Pennington
Avery	Cook	Hankins	Pierce
Bailes	Cooper	Hannah	Posey
Baker (Madison)	Cornett	Harper	Powell
Barnett	Crawford	Hester	Pruitt
Bassett	Daniel	Hogan	Salter
Bolton	Davis	Holladay	Sessions
Boston	Doggett	Ingram	Slate
Bowers	Downing	Jones (Monroe)	Smith
Branyon	Edington	Little	Snell
Brown (Jefferson)	Edwards (Escambia)	McCorquodale	Steagall
Brown (Tuscaloosa)	Edwards (Lowndes)	McDermott	Teel
Burns	Engel	Meade	Thomas
Callahan	Faulk	Meeks	Tuck
Camp	Fields	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Fite	Moore	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	Nabors	Turnham
Cantrell	Glass	NeSmith	Vacca
Carr	Goldthwaite	Owens	

—79

Nays:

Messrs.	Dominick	Nettles	Scurlock
Bethea (M)	Hain	Rast	Stembridge
Bevill	Jones (Covington)	Rogers	Sullivan
Blanton			

—12

Mr. Edwards (Escambia) offered the following substitute for the bill H. 114, as amended:

A BILL TO BE ENTITLED AN ACT

To provide for congressional redistricting and for the election of representatives in Congress by districts.

Be It Enacted by the Legislature of Alabama:

Section 1. The State of Alabama shall have eight congressional districts as follows:

The first district shall be composed of the counties of Mobile, Baldwin, Escambia, and Washington. The second district shall be composed of the counties of Monroe, Conecuh, Covington, Geneva, Houston, Henry, Dale, Coffee, Butler, Crenshaw, Pike, Barbour, Russell, Bullock, Wilcox, and Lowndes. The third district shall be composed of the counties of Clarke, Choctaw, Marengo, Dallas, Perry, Hale, Greene, Sumter, Pickens, Tuscaloosa, Bibb, Autauga, Chilton, Coosa, and Lamar. The fourth district shall be composed of the counties of Montgomery, Macon, Lee, Elmore, Tallapoosa, Chambers, Randolph, Clay, Cleburne, and Cherokee. The fifth district shall be composed of the county of Jefferson. The sixth district shall be composed of the counties of Jefferson, Shelby, Talladega, St. Clair, and Walker. The seventh district shall be composed of the counties of Fayette, Marion, Franklin, Colbert, Lauderdale,

Lawrence, Limestone, Winston, Madison, and Marshall. The eighth district shall be composed of the counties of Morgan, Cullman, Blount, Etowah, Calhoun, DeKalb, and Jackson.

Section 2. A member of the house of representatives of the United States shall be elected by the qualified electors of each congressional district as described in Section 1 in November 1964, and every two years thereafter.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Goodwyn the substitute offered by Mr. Edwards (Escambia) was laid upon the table.

Yeas 75; Nays 19.

Yeas:

Mr. Speaker	Carr	Goodwyn	Posey
Albea	Cates	Grouby	Powell
Avery	Collins	Hankins	Pruitt
Bailes	Cook	Hannah	Reynolds
Baker (DeKalb)	Cooper	Harper	Salter
Baker (Madison)	Cornett	Heflin	Scurlock
Barnett	Crawford	Hester	Sessions
Bassett	Daniel	Holladay	Slate
Bethea (M)	Davis	Ingram	Smith
Blanton	Doggett	Jones (Monroe)	Snell
Bolton	Downing	McDermott	Steagall
Boston	Drake	Mashburn	Teel
Bowers	Edwards (Lowndes)	Meade	Thomas
Branyon	Engel	Merrill	Tuck
Burns	Faulk	Moore	Turner (Crenshaw)
Callahan	Fite	NeSmith	Turner (Limestone)
Camp	Gilmore	Owens	Turnham
Campbell (Jackson)	Glass	Paulk	Vacca
Cantrell	Goldthwaite	Pierce	

—75

Nays:

Messrs.	Edington	Jones (Covington)	Nettles
Brown (Jefferson)	Etheredge	Locke	Perry
Brown (Tuscaloosa)	Fields	McCorquodale	Rast
Campbell (Tuscaloosa)	Hawkins	Meeks	Rogers
Dominick	Hogan	Morrow	Stembridge

—19

Mr. Bethea (M) offered the following substitute for the bill H. 114, as amended:

A BILL TO BE ENTITLED AN ACT

To form the state into a congressional district and provide for election of congressmen; amending Code of Alabama 1940, Title 17, Sections 425-426.

Be It Enacted by the Legislature:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The state is hereby formed into one (1) congressional district composed of all counties of the state."

Section 2. Code of Alabama 1940, Title 17, Section 426 is hereby amended to read as follows:

"Section 426. The congressional district established hereby is entitled to eight (8) representatives in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November 1964, and every two years thereafter."

On motion of Mr. Bailes the substitute offered by Mr. Bethea (M) was laid upon the table.

Yeas 81; Nays 20.

Yeas:

Mr. Speaker	Cook	Goodwyn	Owens
Albea	Cooper	Grouby	Paulk
Avery	Cornett	Hankins	Pennington
Bailes	Crawford	Hannah	Pierce
Baker (DeKalb)	Daniel	Harper	Powell
Baker (Madison)	Davis	Heflin	Pruitt
Barnett	Doggett	Hester	Reynolds
Bassett	Dominick	Holladay	Salter
Bolton	Downing	Ingram	Sessions
Boston	Edington	Jones (Monroe)	Slate
Bowers	Edwards (Escambia)	Little	Smith
Branyon	Edwards (Lowndes)	McCorquodale	Snell
Burns	Engel	McDermott	Steagall
Camp	Etheredge	Mashburn	Teel
Campbell (Jackson)	Faulk	Meade	Thomas
Campbell (Tuscaloosa)	Fields	Meeks	Tuck
Cantrell	Fite	Merrill	Turner (Crenshaw)
Carr	Gilmore	Moore	Turner (Limestone)
Casey	Glass	Nabors	Turnham
Cates	Goldthwaite	NeSmith	Vacca
Collins			

—81

Nays:

Messrs.	Brown (Tuscaloosa)	Locke	Rast
Bethea (B)	Drake	Morrow	Rogers
Bethea (M)	Hawkins	Nettles	Scurlock
Bevill	Hogan	Perry	Stembridge
Blanton	Jones (Covington)	Posey	Sullivan
Brown (Jefferson)			

—20

Mr. Owens offered the following substitute for the bill, H. 114, as amended:

A BILL TO BE ENTITLED AN ACT

To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama Title 17, Section 425 is amended to read as follows:

"Section 425. The State is hereby divided into eight congressional districts as follows: The first district shall be composed of the counties of Mobile, Washington, Choctaw, Clarke, Monroe and Wilcox. The second district shall be composed of the counties of Baldwin, Escambia, Conecuh, Butler, Crenshaw, Pike, Montgomery, Lowndes and Dallas. The third district shall be composed of the counties of Covington, Coffee, Geneva, Dale, Houston, Henry, Barbour, Bullock, Russell, Lee, Macon, Elmore and Tallapoosa. The fourth district shall be composed of the counties of Autauga, Chilton, Coosa, Shelby, Talladega and Calhoun; also, Precincts 33, 53, 39, 38, 19 and 16 in Jefferson County, as such precincts were constituted on August 1, 1961. The fifth district shall be composed of the counties of St. Clair, Etowah, Cleburne, Clay, Randolph, Chambers, Cherokee, DeKalb, Marshall, Blount and Cullman. The sixth district shall be composed of the counties of Franklin, Marion, Winston, Lamar, Fayette, Walker, Pickens, Tuscaloosa, Greene, Hale, Bibb, Perry, Sumter and Marengo. The seventh district shall be composed of the county of Jefferson, excluding Precincts 33, 53, 39, 38, 19 and 16 which are included in the fourth district, as such precincts were constituted August 1, 1961. The eighth district shall be composed of the counties of Colbert, Lauderdale, Lawrence, Limestone, Morgan, Madison and Jackson."

Section 2. Code of Alabama Title 17, Section 426 is amended to read as follows:

"Section 426. Each congressional district is entitled to one representative in the house of representatives of the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November 1964, and every two years thereafter."

On motion of Mr. Powell the substitute offered by Mr. Owens was laid upon the table.

Yeas 61; Nays 40.

Yeas:

Mr. Speaker	Cates	Glass	Paulk
Albea	Collins	Goodwyn	Perry
Avery	Cook	Grouby	Pierce
Bailes	Cooper	Harper	Posey
Barnett	Cornett	Hawkins	Powell
Bassett	Crawford	Heflin	Pruitt
Bethea (M)	Daniel	Hester	Salter
Blanton	Davis	Holladay	Sessions
Bolton	Drake	Ingram	Steagall
Bowers	Edwards (Escambia)	McCorquodale	Teel
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Thomas
Callahan	Etheredge	Merrill	Tuck
Camp	Faulk	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Fite	NeSmith	Turnham
Cantrell	Gilmore	Nettles	Vacca
Casey			

—61

Nays:

Messrs.	Bevill	Burns	Downing
Baker (DeKalb)	Boston	Campbell (Jackson)	Edgington
Baker (Madison)	Branyon	Carr	Engel
Bethea (M)	Brown (Tuscaloosa)	Dominick	Fields

Goldthwaite	Little	Owens	Slate
Hain	Locke	Pennington	Smith
Hankins	Meade	Rast	Snell
Hannah	Meeks	Reynolds	Stembridge
Hogan	Moore	Rogers	Sullivan
Jones (Covington)	Nabors	Scurlock	Turner (Limestone)
Jones (Monroe)			

—40

Mr. Jones (Covington) offered the following amendment to the bill H. 114, as amended:

Amend H. B. 114 as amended by transferring Covington County from the Third District to the Second District as described therein.

On motion of Mr. Bailes the amendment offered by Mr. Jones (Covington) was laid upon the table.

Yeas 61; Nays 31.

Yeas:

Mr. Speaker	Cates	Gilmore	Pierce
Albea	Collins	Grouby	Powell
Avery	Cook	Hannah	Pruitt
Bailes	Cooper	Heflin	Sessions
Baker (Madison)	Cornett	Holladay	Slate
Barnett	Crawford	Ingram	Smith
Bolton	Daniel	Jones (Monroe)	Snell
Boston	Davis	Locke	Steagall
Bowers	Dominick	McCorquodale	Teel
Burns	Downing	McDermott	Thomas
Callahan	Edwards (Escambia)	Meeks	Tuck
Camp	Engel	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Faulk	Moore	Turner (Limestone)
Campbell (Tuscaloosa)	Fields	NeSmith	Turnham
Cantrell	Fite	Paulk	Vacca
Casey			

—61

Nays:

Messrs.	Edwards (Lowndes)	Hogan	Pennington
Bassett	Etheredge	Jones (Covington)	Perry
Bethea (M)	Glass	Little	Posey
Bevill	Goldthwaite	Mashburn	Rast
Blanton	Hain	Meade	Rogers
Branyon	Hankins	Morrow	Salter
Brown (Jefferson)	Hawkins	Nettles	Scurlock
Edington	Hester	Owens	Stembridge

—31

Mr. Little offered the following substitute for the bill, H. 114, as amended:

A BILL TO BE ENTITLED AN ACT

To amend Code of Alabama 1940, Title 17, Sections 425 and 426, so as to provide for congressional districts for the election of congressmen by districts.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The State of Alabama is hereby divided into eight congressional districts as follows: The first district shall be composed of the counties of Baldwin, Mobile, Washington and Choctaw. The second district shall be composed of the counties of Clarke, Monroe, Conecuh, Butler, Crenshaw, Montgomery, Elmore, Lowndes, Dallas, Perry, Marengo and Wilcox. The third district shall be composed of the counties of Escambia, Covington, Geneva, Coffee, Dale, Henry, Houston, Barbour, Bullock, Macon, Russell and Lee. The fourth district shall be composed of the counties of Autauga, Chilton, Bibb, Shelby, Coosa, Tallapoosa, Chambers, Randolph, Cleburne, Calhoun, Clay, Talladega, St. Clair and Shelby. The fifth district shall be composed of all of Jefferson County except Precincts 33, 53, 39, 38, 19 and 16, as such precincts were constituted August 1, 1961. The sixth district shall be composed of Precincts 33, 53, 39, 38, 19 and 16 of Jefferson County, as such precincts were constituted August 1, 1961, and the counties of Tuscaloosa, Pickens, Lamar, Greene, Hale and Sumter. The seventh district shall be composed of the counties of Franklin, Marion, Fayette, Walker, Winston, Blount, Etowah, Cherokee, DeKalb, Marshall and Cullman. The eighth district shall be composed of the counties of Colbert, Lauderdale, Lawrence, Morgan, Limestone, Madison and Jackson."

Section 2. Code of Alabama Title 17, Section 426 is amended to read as follows:

"Section 426. Each congressional district is entitled to elect one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November 1966, and every two years thereafter."

On motion of Mr. Goodwyn the substitute offered by Mr. Little was laid upon the table.

Yeas 85; Nays 10.

Yeas:

Mr. Speaker	Carr	Grouby	Pennington
Albea	Casey	Hankins	Perry
Avery	Cates	Hannah	Pierce
Bailes	Cook	Harper	Powell
Baker (DeKalb)	Cornett	Hawkins	Pruitt
Baker (Madison)	Crawford	Heflin	Rast
Barnett	Daniel	Hogan	Reynolds
Bassett	Davis	Holladay	Salter
Bethea (B)	Doggett	Ingram	Sessions
Blanton	Downing	Jones (Monroe)	Slate
Bolton	Edington	Locke	Smith
Boston	Edwards (Escambia)	McCorquodale	Snell
Bowers	Edwards (Lowndes)	McDermott	Steagall
Branyon	Engel	Mashburn	Stembridge
Brown (Jefferson)	Etheredge	Meade	Teel
Brown (Tuscaloosa)	Faulk	Meeks	Thomas
Burns	Fields	Merrill	Turner
Callahan	Fite	Moore	Turner (Crenshaw)
Camp	Gilmore	Morrow	Turner (Limestone)
Campbell (Jackson)	Glass	NeSmith	Turnham
Campbell (Tuscaloosa)	Goodwyn	Paulk	Vacca
Cantrell			

—85

Nays:

Messrs.	Dominick	Hain	Posey
Bethea (M)	Drake	Jones (Covington)	Scurlock
Bevill	Goldthwaite	Little	

—10

MOTION TO ADJOURN LOST

The motion of Mr. Hester that the House adjourn until Wednesday, August 12, 1964, at ten o'clock A.M., was lost.

Yeas 25; Nays 73.

Yeas:

Messrs.	Edwards (Lowndes)	Little	Posey
Baker (DeKalb)	Fite	Locke	Rogers
Bethea (H)	Hankins	Mashburn	Scurlock
Bevill	Hawkins	Morrow	Sullivan
Branyon	Hester	Nettles	Teel
Burns	Ingram	Perry	Tuck
Drake	Jones (Covington)		

—25

Nays:

Mr. Speaker	Casey	Goldthwaite	Pennington
Albea	Cates	Goodwyn	Pierce
Avery	Collins	Grouby	Powell
Bailes	Cook	Hannah	Pruitt
Baker (Madison)	Cooper	Harper	Rast
Barnett	Cornett	Heflin	Reynolds
Bassett	Crawford	Hogan	Salter
Bethea (H)	Daniel	Holladay	Sessions
Bolton	Doggett	Jones (Monroe)	Slate
Boston	Dominick	McCorquodale	Smith
Bowers	Downing	McDermott	Snell
Brown (Jefferson)	Edington	Meade	Steagall
Brown (Tuscaloosa)	Edwards (Escambia)	Meeks	Stembridge
Callahan	Engel	Merrill	Thomas
Camp	Faulk	Moore	Turner (Greshaw)
Campbell (Jackson)	Fields	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	NeSmith	Turnham
Cantrell	Glass	Paulk	Vacca
Carr			

—73

CONSIDERATION OF H. 114 RESUMED

H. 114. To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

As amended, was again taken up.

Mr. Drake offered the following amendment to the bill, H. 114, as amended:

Amend HB 114 as substituted by adding Cullman County to the eighth congressional district.

On motion of Mr. Slate the amendment offered by Mr. Drake was laid upon the table.

Yeas 77; Nays 14.

Yeas:

Mr. Speaker	Barnett	Brown (Jefferson)	Campbell (Jackson)
Albea	Bassett	Brown (Tuscaloosa)	Cantrell
Avery	Bolton	Burns	Carr
Bailes	Boston	Callahan	Casey
Baker (Madison)	Bowers	Camp	Cates

Collins	Gilmore	McDermott	Rogers
Cook	Glass	Mashburn	Salter
Cooper	Goldthwaite	Meade	Sessions
Cornett	Hannah	Meeks	Slate
Crawford	Harper	Merrill	Smith
Daniel	Hawkins	Nabors	Snell
Davis	Heflin	NeSmith	Steagall
Dominick	Hogan	Paulk	Teel
Downing	Holladay	Pennington	Thomas
Edington	Ingram	Perry	Tuck
Edwards (Escambia)	Jones (Covington)	Pierce	Turner (Crenshaw)
Edwards (Lowndes)	Jones (Monroe)	Powell	Turner (Limestone)
Engel	Locke	Pruitt	Turnham
Etheredge	McCorquodale	Reynolds	Vacca
Fields			

—77

Nays:

Messrs.	Branyon	Grouby	Nettles
Baker (DeKalb)	Campbell (Tuscaloosa)	Hain	Posey
Bevill	Drake	Hankins	Scurlock
Blanton	Fite	Hester	

—14

Mr. Drake offered the following substitute for the bill, H. 114, as amended:

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 17, Section 425 in relation to congressional redistricting.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The state is hereby divided into eight congressional districts as follows:

The 1st District shall be composed of the counties of: Choctaw, Wilcox, Clarke, Monroe, Washington, and Mobile.

The 2nd District shall be composed of the counties of: Baldwin, Butler, Conecuh, Covington, Crenshaw, Escambia, Lowndes, Montgomery, and Pike.

The 3rd District shall be composed of the counties of: Barbour, Lee, Macon, Russell, Coffee, Dale, Henry, Geneva, Houston and Bullock and Chambers.

The 4th District shall be composed of the counties of St. Clair, Calhoun, Talladega, Clay, Coosa, Autauga, Elmore and Precincts (or beats) 12, 20, 10, 11, 44, 15, 59, and 13 in Jefferson County, as constituted on August 1, 1961.

The 5th District shall be composed of the counties of: Marshall, DeKalb, Etowah, Cherokee, Cleburne, Blount, Randolph, Tallapoosa, and Precincts (or beats) 16, 22, 42, 52, 45, 29, 38, 39, 21, 19 and 50 in Jefferson County, as constituted on August 1, 1961.

The 6th District shall be composed of the counties of: Tuscaloosa, Marengo, Greene, Hale, Dallas, Bibb, Sumter, Perry, Chilton, Shelby

and Precinct (or beat) 25 in Jefferson County, as constituted on August 1, 1961.

The 7th District shall be composed of the counties of: Marion, Winston, Cullman, Lamar, Fayette, Franklin, Walker, Pickens and Precincts (or beats) 33, 53, and 9 in Jefferson County, as constituted on August 1, 1961.

The 8th District shall be composed of the counties of: Lauderdale, Limestone, Madison, Jackson, Colbert, Lawrence and Morgan."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Bailes the substitute offered by Mr. Drake was laid upon the table.

Yeas 69; Nays 26.

Yeas:

Mr. Speaker	Carr	Fields	Paulk
Albea	Casey	Gilmore	Pennington
Bailes	Cates	Grouby	Perry
Baker (Madison)	Collins	Hannah	Pruitt
Barnett	Cooper	Harper	Rast
Bassett	Cornett	Hawkins	Reynolds
Bethea (B)	Crawford	Holladay	Rogers
Bolton	Daniel	Ingram	Sessions
Boston	Davis	Jones (Monroe)	Slate
Bowers	Dominick	Locke	Smith
Branyon	Downing	McDermott	Snell
Brown (Jefferson)	Edington	Meeks	Teel
Burns	Edwards (Escambia)	Merrill	Thomas
Callahan	Edwards (Lowndes)	Morrow	Tuck
Camp	Engel	Nabors	Turner (Limestone)
Campbell (Jackson)	Etheredge	NeSmith	Turnham
Campbell (Tuscaloosa)	Faulk	Owens	Vacca
Cantrell			

—69

Nays:

Messrs.	Fite	Jones (Covington)	Salter
Baker (DeKalb)	Glass	Little	Scurlock
Bevill	Goodwyn	Mashburn	Steagall
Brown (Tuscaloosa)	Hain	Moore	Stembridge
Cook	Hankins	Pierce	Sullivan
Doggett	Hester	Posey	Turner (Crenshaw)
Drake	Hogan	Powell	

—26

Mr. Nettles offered the following amendment to the bill, H. 114, as amended:

Change "1964" in last Section to "1966".

On motion of Mr. Bailes the amendment offered by Mr. Nettles was laid upon the table.

Yeas 73; Nays 25.

Yeas:

Mr. Speaker	Baker (DeKalb)	Boston	Callahan
Albea	Baker (Madison)	Bowers	Camp
Avery	Bassett	Brown (Tuscaloosa)	Campbell (Jackson)
Bailes	Bolton	Burns	Campbell (Tuscaloosa)

Cantrell	Edwards (Escambia)	Jones (Monroe)	Pruitt
Casey	Engel	Little	Sessions
Cates	Etheredge	McDermott	Slate
Collins	Faulk	Mashburn	Smith
Cook	Fite	Meade	Snell
Cooper	Gilmore	Meeks	Steagall
Cornett	Glass	Merrill	Stembridge
Crawford	Grouby	Moore	Teel
Daniel	Hannah	Nabors	Thomas
Davis	Harper	NeSmith	Tuck
Doggett	Heflin	Owens	Turner (Crenshaw)
Dominick	Hogan	Paulk	Turner (Limestone)
Downing	Holladay	Pierce	Turnham
Drake	Ingram	Powell	Vacca
Edington			

—73

Nays:

Messrs.	Edwards (Lowndes)	McCorquodale	Rast
Barnett	Goodwyn	Morrow	Reynolds
Bethea (B)	Hain	Nettles	Rogers
Bethea (M)	Hawkins	Pennington	Salter
Bevill	Hester	Perry	Scurlock
Blanton	Jones (Covington)	Posey	Sullivan
Brown (Jefferson)	Locke		

—25

MOTIONS TO ADJOURN LOST

The motion of Mr. Bevill that the House adjourn until Wednesday, August 12, 1964, at nine o'clock A.M., was lost.

Yeas 39; Nays 60.

Yeas:

Messrs.	Cook	Hester	Owens
Baker (DeKalb)	Daniel	Ingram	Perry
Bethea (B)	Drake	Jones (Covington)	Pierce
Bethea (M)	Etheredge	Little	Posey
Bevill	Fite	Locke	Powell
Blanton	Gilmore	McCorquodale	Rogers
Bowers	Hain	Mashburn	Salter
Branyon	Hankins	Meade	Scurlock
Brown (Jefferson)	Hawkins	Morrow	Sullivan
Burns	Heflin	Nettles	Tuck

—39

Nays:

Mr. Speaker	Casey	Glass	Pennington
Albea	Cates	Goodwyn	Pruitt
Avery	Collins	Grouby	Rast
Bailes	Cooper	Hannah	Reynolds
Baker (Madison)	Cornett	Harper	Slate
Barnett	Crawford	Hogan	Smith
Bassett	Davis	Holladay	Snell
Bolton	Doggett	Jones (Monroe)	Steagall
Boston	Dominick	McDermott	Stembridge
Brown (Tuscaloosa)	Downing	Meeks	Teel
Callahan	Edington	Merrill	Thomas
Camp	Edwards (Lowndes)	Moore	Turner (Crenshaw)
Campbell (Jackson)	Engel	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Faulk	NeSmith	Turnham
Cantrell	Fields	Paulk	Vacca

—60

The motion of Mr. Nettles that the House adjourn until Friday, August 14, 1964, at ten o'clock A.M., was lost.

Yeas 39; Nays 60.

Yeas:

Messrs.	Carr	Hester	Perry
Avery	Cooper	Jones (Covington)	Posey
Bassett	Davis	Jones (Monroe)	Powell
Bethea (B)	Doggett	Little	Rogers
Bethea (M)	Drake	Locke	Salter
Bevill	Edwards (Lowndes)	McCorquodale	Scurlock
Blanton	Etheredge	Mashburn	Stembridge
Brown (Jefferson)	Hain	Morrow	Sullivan
Brown (Tuscaloosa)	Hankins	Nettles	Teel
Campbell (Tuscaloosa)	Hawkins	Owens	Turner (Limestone)

—39

Nays:

Mr. Speaker	Cates	Grouby	Pennington
Albea	Collins	Hannah	Pierce
Bailes	Cook	Harper	Pruitt
Baker (DeKalb)	Cornett	Heflin	Rast
Baker (Madison)	Crawford	Hogan	Reynolds
Barnett	Dominick	Holladay	Sessions
Bolton	Downing	Ingram	Slate
Boston	Edington	McDermott	Smith
Bowers	Edwards (Escambia)	Meade	Snell
Burns	Engel	Meeks	Steagall
Callahan	Faulk	Merrill	Thomas
Camp	Fite	Moore	Tuck
Campbell (Jackson)	Gilmore	Nabors	Turner (Crenshaw)
Cantrell	Glass	NeSmith	Turnham
Casey	Goodwyn	Paulk	Vacca

—60

The motion of Mr. Drake that the House adjourn until Thursday, August 13, 1964, at ten o'clock A.M., was lost.

Yeas 41; Nays 57.

Yeas:

Messrs.	Cooper	Hester	Nettles
Avery	Doggett	Ingram	Owens
Baker (DeKalb)	Drake	Jones (Covington)	Perry
Bethea (B)	Edington	Jones (Monroe)	Posey
Bethea (M)	Etheredge	Little	Rogers
Bevill	Fite	Locke	Salter
Blanton	Goldthwaite	McCorquodale	Scurlock
Brown (Jefferson)	Hain	Mashburn	Sullivan
Brown (Tuscaloosa)	Hankins	Meade	Teel
Burns	Hawkins	Morrow	Tuck
Campbell (Tuscaloosa)	Heflin		

—41

Nays:

Mr. Speaker	Bolton	Cantrell	Cornett
Albea	Boston	Carr	Crawford
Bailes	Bowers	Casey	Davis
Baker (Madison)	Callahan	Cates	Dominick
Bassett	Camp	Collins	Downing
Barnett	Campbell (Jackson)	Cook	Edwards (Escambia)

Edwards (Lowndes)	Hogan	Paulk	Snell
Engel	Holladay	Pennington	Steagall
Faulk	McDermott	Pierce	Stembridge
Gilmore	Meeks	Pruitt	Thomas
Glass	Merrill	Rast	Turner (Crenshaw)
Goodwyn	Moore	Reynolds	Turner (Limestone)
Grouby	Nabors	Slate	Turnham
Hannah	NeSmith	Smith	Vacca
Harper			

—57

CONSIDERATION OF H. 114 RESUMED

H. 114. To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

As amended, was again taken up.

And said bill, H. 114, as amended, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 26.

Yeas:

Mr. Speaker	Casey	Goodwyn	Paulk
Albea	Cates	Grouby	Pennington
Avery	Collins	Hannah	Pierce
Bailes	Cook	Harper	Powell
Baker (DeKalb)	Cooper	Heflin	Pruitt
Baker (Madison)	Cornett	Hogan	Reynolds
Barnett	Crawford	Holladay	Salter
Bassett	Daniel	Ingram	Sessions
Bethea (M)	Doggett	Jones (Monroe)	Slate
Bolton	Downing	McCorquodale	Smith
Boston	Edington	McDermott	Steagall
Bowers	Edwards (Escambia)	Mashburn	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Meade	Teel
Brown (Tuscaloosa)	Engel	Meeks	Thomas
Callahan	Faulk	Merrill	Turner (Crenshaw)
Camp	Fields	Moore	Turner (Limestone)
Campbell (Jackson)	Fite	Nabors	Turnham
Campbell (Tuscaloosa)	Gilmore	NeSmith	Vacca
Cantrell	Glass	Nettles	

—75

Nays:

Messrs.	Dominick	Hester	Posey
Bethea (B)	Drake	Jones (Covington)	Rast
Bevill	Etheredge	Little	Rogers
Blanton	Goldthwaite	Locke	Scurlock
Burns	Hain	Morrow	Snell
Carr	Hankins	Owens	Sullivan
Davis	Hawkins	Perry	

—26

PASSAGE OF H. 111

H. 111. To make an additional appropriation for payment of expenses of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 7.

Yeas:

Mr. Speaker	Cates	Hain	Pierce
Albea	Collins	Hankins	Posey
Avery	Cook	Hannah	Powell
Bailes	Cooper	Harper	Pruitt
Baker (DeKalb)	Cornett	Heflin	Rast
Baker (Madison)	Crawford	Hester	Reynolds
Barnett	Daniel	Hogan	Rogers
Bassett	Doggett	Holladay	Salter
Bevill	Dominick	Ingram	Scurlock
Blanton	Downing	Jones (Monroe)	Sessions
Bolton	Drake	Locke	Slate
Boston	Edington	McDermott	Smith
Bowers	Edwards (Escambia)	Mashburn	Snell
Brown (Jefferson)	Edwards (Lowndes)	Meade	Steagall
Brown (Tuscaloosa)	Engel	Meeks	Stembridge
Burns	Etheredge	Merrill	Sullivan
Callahan	Faulk	Moore	Teel
Camp	Fields	Morrow	Thomas
Campbell (Jackson)	Fite	Nabors	Tuck
Campbell (Tuscaloosa)	Gilmore	NeSmith	Turner (Crenshaw)
Cantrell	Glass	Owens	Turner (Limestone)
Carr	Goldthwaite	Paulk	Turnham
Casey	Grouby	Pennington	Vacca

—92

Nays:

Messrs.	Davis	Jones (Covington)	Nettles
Bethea (B)	Hawkins	Little	Perry

—7

MOTION TO RECONSIDER TABLED

On motion of Mr. Bailes, his motion to reconsider the vote by which the bill, H. 114, as amended, was passed, was laid upon the table.

Yeas 71; Nays 27.

Yeas:

Mr. Speaker	Casey	Goodwyn	Pennington
Albea	Cates	Grouby	Pierce
Avery	Collins	Hannah	Powell
Bailes	Cook	Harper	Pruitt
Baker (DeKalb)	Cooper	Heflin	Reynolds
Baker (Madison)	Cornett	Hogan	Sessions
Barnett	Crawford	Holladay	Slate
Bassett	Daniel	Ingram	Smith
Bolton	Doggett	Jones (Monroe)	Steagall
Boston	Downing	McDermott	Stembridge
Bowers	Edington	Mashburn	Teel
Branyon	Edwards (Escambia)	Meade	Thomas
Brown (Jefferson)	Engel	Meeks	Tuck
Callahan	Faulk	Merrill	Turner (Crenshaw)
Camp	Fields	Moore	Turner (Limestone)
Campbell (Jackson)	Fite	Nabors	Turnham
Campbell (Tuscaloosa)	Gilmore	NeSmith	Vacca
Cantrell	Glass	Paulk	

—71

Nays:

Messrs.	Dominick	Jones (Covington)	Posey
Bethea (B)	Drake	Little	Rast
Bethea (M)	Goldthwaite	Locke	Rogers
Bevill	Hain	Morrow	Salter
Blanton	Hankins	Nettles	Scurlock
Burns	Hawkins	Owens	Snell
Carr	Hester	Perry	Sullivan

—27

UNANIMOUS CONSENT GRANTED

Mr. Pennington requested unanimous consent to introduce a resolution out of order, and it was so granted.

RESOLUTION

The following resolution was introduced:

By Messrs. Pennington, Snell, Carr, Baker (Madison) and Reynolds:

H. J. R. 23. WHEREAS Members of the Legislature of Alabama are finding it increasingly difficult to rely upon obtaining parking space in and around the capitol grounds or in reasonably accessible areas; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a Legislative Committee shall be created, to be composed of three members of the House to be appointed by the Speaker and two members of the Senate to be appointed by the President. It shall be the duty of the committee to call upon the executive department of the State and to obtain therefrom a designated area for the parking of automobiles of the members of the House and Senate. Parking spaces within such areas shall be assigned separately to individual members for parking purposes during such time as the Legislature shall be in session.

On motion of Mr. Pennington the rules were suspended and H. J. R. 23 was adopted.

MOTION TO ADJOURN ADOPTED

Mr. Goodwyn moved that when the House adjourns today it adjourns to meet again Thursday, August 13, 1964, at ten o'clock, A.M.

The substitute motion of Mr. Powell that when the House adjourns today it adjourns to meet again Friday, August 14, 1964, at ten o'clock, A.M., was lost.

Yeas 48; Nays 51.

Yeas:

Messrs.	Callahan	Fields	Locke
Avery	Campbell (Tuscaloosa)	Fite	McCorquodale
Barnett	Cooper	Gilmore	McDermott
Bethea (B)	Crawford	Goldthwaite	Morrow
Bethea (M)	Doggett	Hain	Nettles
Bevill	Downing	Hawkins	Owens
Blanton	Drake	Hogan	Perry
Brown (Jefferson)	Edwards (Lowndes)	Jones (Covington)	Posey
Brown (Tuscaloosa)	Etheredge	Jones (Monroe)	Powell
Burns	Faulk	Little	Rast

FIRST EXTRAORDINARY SESSION

151

Salter	Steagall	Sullivan	Tuck
Scurlock	Stembridge	Teel	Turnham
Smith			

—48

Nays:

Mr. Speaker	Cook	Harper	Pennington
Albea	Cornett	Heflin	Pierce
Bailes	Daniel	Hester	Pruitt
Baker (Madison)	Davis	Holladay	Reynolds
Bassett	Dominick	Ingram	Rogers
Bolton	Edington	Mashburn	Sessions
Boston	Edwards (Escambia)	Meade	Slate
Branyon	Engel	Meeks	Snell
Camp	Glass	Merrill	Thomas
Campbell (Jackson)	Goodwyn	Moore	Turner (Crenshaw)
Casey	Grouby	Nabors	Turner (Limestone)
Cates	Hankins	NeSmith	Vacca
Collins	Hannah	Paulk	

—51

The question was then on the motion of Mr. Goodwyn that when the House adjourns today it adjourns to meet again Thursday, August 13, 1964, at ten o'clock, A.M., and the motion was adopted.

Yeas 61; Nays 34.

Yeas:

Mr. Speaker	Cook	Hannah	Pierce
Albea	Cooper	Heflin	Pruitt
Bailes	Cornett	Holladay	Rast
Baker (DeKalb)	Daniel	Ingram	Reynolds
Baker (Madison)	Davis	Locke	Rogers
Barnett	Doggett	Mashburn	Scurlock
Bassett	Dominick	Meeks	Sessions
Bevill	Edington	Merrill	Snell
Bolton	Edwards (Escambia)	Moore	Sullivan
Boston	Edwards (Lowndes)	Nabors	Teel
Branyon	Engel	NeSmith	Thomas
Camp	Glass	Owens	Tuck
Campbell (Jackson)	Goodwyn	Paulk	Turner (Crenshaw)
Carr	Grouby	Pennington	Turner (Limestone)
Casey	Hankins	Perry	Vacca
Collins			

—61

Nays:

Messrs.	Downing	Hester	Posey
Avery	Drake	Hogan	Powell
Bethea (B)	Fields	Jones (Covington)	Salter
Bethea (M)	Fite	Jones (Monroe)	Slate
Brown (Tuscaloosa)	Gilmore	Little	Smith
Burns	Goldthwaite	McCorquodale	Steagall
Callahan	Hain	McDermott	Stembridge
Campbell (Tuscaloosa)	Harper	Morrow	Turnham
Cates	Hawkins	Nettles	

—34

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has

carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

BILLS ON THIRD READING RESUMED

H. 3. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Davis	Jones (Monroe)	Powell
Albea	Downing	Locke	Rast
Baker (Madison)	Drake	McCorquodale	Reynolds
Bassett	Edington	McDermott	Rogers
Bethea (B)	Edwards (Escambia)	Meade	Scurlock
Bolton	Edwards (Lowndes)	Meeks	Sessions
Boston	Engel	Merrill	Slate
Brown (Jefferson)	Faulk	Moore	Smith
Brown (Tuscaloosa)	Fields	Morrow	Snell
Burns	Fite	Nabors	Steagall
Camp	Glass	Nettles	Stembridge
Cantrell	Grouby	Owens	Sullivan
Carr	Hankins	Paulk	Teel
Casey	Hannah	Pennington	Tuck
Collins	Heflin	Perry	Turner (Crenshaw)
Cooper	Hester	Pierce	Turner (Limestone)
Crawford	Hogan	Posey	Turnham
Daniel	Jones (Covington)		

—70

And the bill:

H. 4. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

Was taken up.

Mr. NeSmith offered the following amendment to the bill, H. 4:

AMENDMENT TO H. B. 4

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Bailes	Bassett	Bolton
Albea	Baker (DeKalb)	Bethea (B)	Boston
Avery	Baker (Madison)	Blanton	Bowers

Brown (Jefferson)	Engel	McDermott	Reynolds
Burns	Etheredge	Mashburn	Rogers
Camp	Faulk	Meade	Scurlock
Cantrell	Fields	Meeks	Sessions
Carr	Fite	Merrill	Slate
Casey	Goldthwaite	Moore	Smith
Collins	Grouby	Morrow	Snell
Cooper	Hankins	Nabors	Steagall
Cornett	Hannah	NeSmith	Stembridge
Crawford	Harper	Owens	Sullivan
Daniel	Heflin	Paulk	Teel
Davis	Hester	Pennington	Tuck
Drake	Hogan	Perry	Turner (Crenshaw)
Edington	Ingram	Posey	Turner (Limestone)
Edwards (Escambia)	Jones (Covington)	Powell	Turnham
Edwards (Lowndes)	McCorquodale	Rast	

—75

And said bill, H. 4, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Perry
Albea	Cooper	Harper	Posey
Avery	Cornett	Hester	Powell
Bailes	Crawford	Hogan	Rast
Baker (DeKalb)	Daniel	Ingram	Reynolds
Baker (Madison)	Davis	Jones (Covington)	Rogers
Bassett	Dominick	Locke	Scurlock
Bethea (B)	Drake	McDermott	Sessions
Blanton	Edington	Mashburn	Slate
Boston	Edwards (Escambia)	Meade	Smith
Bowers	Edwards (Lowndes)	Meeks	Snell
Brown (Jefferson)	Engel	Merrill	Steagall
Brown (Tuscaloosa)	Etheredge	Moore	Stembridge
Burns	Faulk	Morrow	Sullivan
Camp	Fields	Nabors	Teel
Campbell (Tuscaloosa)	Fite	NeSmith	Tuck
Cantrell	Glass	Owens	Turner (Crenshaw)
Carr	Grouby	Paulk	Turner (Limestone)
Casey	Hankins	Pennington	Turnham

—76

And the bill:

H. 5. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Bowers	Casey	Drake
Albea	Branyon	Collins	Edington
Avery	Brown (Jefferson)	Cook	Edwards (Escambia)
Bailes	Brown (Tuscaloosa)	Cooper	Edwards (Lowndes)
Baker (DeKalb)	Burns	Crawford	Engel
Baker (Madison)	Camp	Daniel	Etheredge
Bassett	Cantrell	Davis	Faulk
Boston	Carr	Dominick	Fields

Fite	Locke	Pennington	Smith
Glass	Mashburn	Perry	Snell
Grouby	Meade	Posey	Steagall
Hankins	Meeks	Powell	Stembridge
Hannah	Merrill	Rast	Sullivan
Harper	Morrow	Reynolds	Teel
Heflin	Nabors	Rogers	Tuck
Hester	NeSmith	Scurlock	Turner (Crenshaw)
Hogan	Owens	Sessions	Turner (Limestone)
Ingram	Paulk	Slate	Turnham
Jones (Covington)			

—73

And the bill:

H. 20. RELATING TO THE SHERIFF OF DALE COUNTY, PROVIDING AN ALLOWANCE FOR EMPANELING GRAND JURIES.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	Pennington
Albea	Collins	Hankins	Perry
Avery	Cook	Hannah	Posey
Bailes	Cooper	Harper	Powell
Baker (DeKalb)	Cornett	Heflin	Rast
Baker (Madison)	Crawford	Hester	Reynolds
Barnett	Daniel	Hogan	Rogers
Bassett	Davis	Holladay	Scurlock
Bethea (B)	Dominick	Ingram	Sessions
Bevill	Drake	Jones (Covington)	Slate
Bolton	Edington	Mashburn	Smith
Boston	Edwards (Escambia)	Meade	Snell
Bowers	Edwards (Lowndes)	Meeks	Steagall
Branyon	Engel	Merrill	Stembridge
Brown (Jefferson)	Etheredge	Moore	Sullivan
Brown (Tuscaloosa)	Faulk	Morrow	Teel
Burns	Fields	Nabors	Tuck
Camp	Fite	NeSmith	Turner (Crenshaw)
Cantrell	Glass	Nettles	Turner (Limestone)
Carr	Grouby	Paulk	Turnham

—80

And the bill:

H. 21. RELATING TO DALE COUNTY, PROVIDING FOR THE APPOINTMENT OF DEPUTIES SHERIFF AND FOR THEIR COMPENSATION.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Bevill	Burns	Crawford
Albea	Blanton	Camp	Davis
Bailes	Boston	Cantrell	Dominick
Baker (DeKalb)	Bowers	Casey	Downing
Baker (Madison)	Branyon	Collins	Drake
Barnett	Brown (Jefferson)	Cook	Edington
Bassett	Brown (Tuscaloosa)	Cooper	Edwards (Escambia)

Edwards (Lowndes)	Hogan	Morrow	Sessions
Engel	Holladay	Paulk	Slate
Etheredge	Jones (Covington)	Pennington	Smith
Fields	Locke	Perry	Steagall
Glass	McDermott	Powell	Stembridge
Hain	Mashburn	Rast	Teel
Hankins	Meade	Reynolds	Tuck
Hannah	Meeks	Rogers	Turner (Limestone)
Hawkins	Merrill	Scurlock	Turnham
Heflin	Moore		

—66

And the bill:

H. 22. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697) entitled 'An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Powell
Bailes	Cook	Heflin	Rast
Baker (Madison)	Cooper	Hogan	Reynolds
Barnett	Crawford	Holladay	Rogers
Bassett	Davis	Jones (Covington)	Scurlock
Bevill	Dominick	Locke	Sessions
Boston	Drake	McDermott	Slate
Bowers	Edington	Mashburn	Smith
Branyon	Edwards (Escambia)	Meade	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Stembridge
Burns	Engel	Moore	Teel
Camp	Etheredge	Paulk	Tuck
Cantrell	Glass	Pennington	Turner (Limestone)
Casey	Hain	Perry	Turnham

—56

H. 23 POSTPONED

On motion of Mr. Blanton, consideration of the bill, H. 23, was postponed until the next legislative day.

H. 25 POSTPONED

On motion of Mr. Powell, consideration of the bill, H. 25, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 32. Regulating the compensation of election officers in counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census.

Was taken up.

Mr. Branyon offered the following amendment to the bill, H. 32:

AMENDMENT TO H. B. 32

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of

the amounts prescribed by general laws shall not in any case be reimbursable by the State.

And the amendment was adopted.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Casey	Glass	Pennington
Bailes	Collins	Hankins	Perry
Baker (Madison)	Cooper	Hannah	Powell
Barnett	Cornett	Heflin	Rast
Bassett	Crawford	Hogan	Rogers
Bevill	Davis	Holladay	Scurlock
Blanton	Dominick	Jones (Covington)	Sessions
Bolton	Downing	Locke	Slate
Boston	Drake	McDermott	Smith
Branyon	Edington	Mashburn	Stembridge
Brown (Jefferson)	Edwards (Escambia)	Meade	Teel
Burns	Edwards (Lowndes)	Meeks	Tuck
Camp	Engel	Moore	Turnham
Campbell (Tuscaloosa)	Fields	Paulk	Vacca
Cantrell			

—57

And said bill, H. 32, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Glass	Pennington
Bailes	Casey	Goodwyn	Perry
Baker (Madison)	Collins	Hankins	Powell
Barnett	Cooper	Hannah	Rast
Bassett	Cornett	Heflin	Rogers
Bevill	Crawford	Hogan	Scurlock
Blanton	Davis	Holladay	Slate
Bolton	Downing	Jones (Covington)	Smith
Boston	Drake	Locke	Stembridge
Branyon	Edington	McDermott	Teel
Brown (Jefferson)	Edwards (Escambia)	Mashburn	Tuck
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Turner (Limestone)
Burns	Engel	Meeks	Turnham
Camp	Etheredge	Moore	Vacca
Campbell (Tuscaloosa)	Fields	Paulk	

—59

And the bill:

H. 33. To apply only in counties having populations of not less than 15,500 nor more than 16,300, relative to closing the office of officials in the courthouse.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Bassett	Branyon	Campbell (Tuscaloosa)
Bailes	Bevill	Brown (Jefferson)	Cantrell
Baker (DeKalb)	Blanton	Brown (Tuscaloosa)	Casey
Baker (Madison)	Bolton	Burns	Collins
Barnett	Boston	Camp	Cook

Cooper	Glass	McDermott	Rogers
Cornett	Goodwyn	Mashburn	Scurlock
Crawford	Hankins	Meade	Sessions
Davis	Hannah	Meeks	Slate
Downing	Harper	Moore	Smith
Drake	Heflin	Paulk	Teel
Edington	Hogan	Pennington	Tuck
Edwards (Escambia)	Holladay	Perry	Turner (Limestone)
Edwards (Lowndes)	Jones (Covington)	Powell	Turnham
Engel	Locke	Rast	Vacca
Fields			

—61

And the bill:

H. 34. Relating to counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

Was taken up.

Mr. Branyon offered the following amendment to the bill, H. 34:

Amend Section 1 of House Bill 34 by striking therefrom in Line 2 the following figures and words:

"15,417 nor more than 16,303,"

and inserting in lieu thereof the following:

"15,500 nor more than 16,300,"

And the amendment was adopted.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hankins	Pennington
Baker (DeKalb)	Collins	Hannah	Perry
Baker (Madison)	Cook	Harper	Powell
Barnett	Cooper	Heflin	Rast
Bassett	Crawford	Hogan	Rogers
Bevill	Davis	Holladay	Scurlock
Blanton	Dominick	Jones (Covington)	Slate
Bolton	Downing	Locke	Smith
Boston	Drake	McDermott	Stembridge
Bowers	Edington	Mashburn	Teel
Branyon	Edwards (Escambia)	Meade	Tuck
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Turner (Limestone)
Brown (Tuscaloosa)	Engel	Moore	Turnham
Camp	Fields	Paulk	Vacca
Campbell (Tuscaloosa)	Glass		

—58

And said bill, H. 34, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Bevill	Brown (Jefferson)	Collins
Bailes	Bolton	Brown (Tuscaloosa)	Cook
Baker (DeKalb)	Boston	Camp	Cooper
Baker (Madison)	Bowers	Campbell (Tuscaloosa)	Crawford
Bassett	Branyon	Cantrell	Davis

Dominick	Hannah	Meade	Scurlock
Drake	Harper	Meeks	Slate
Edington	Heflin	Moore	Smith
Edwards (Escambia)	Hogan	Paulk	Stembridge
Edwards (Lowndes)	Holladay	Pennington	Teel
Engel	Jones (Covington)	Perry	Tuck
Etheredge	Locke	Powell	Turner (Limestone)
Fields	McDermott	Rast	Turnham
Glass	Mashburn	Rogers	Vacca
Hankins			

—57

And the bill:

H. 94. Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Campbell(Tuscaloosa)	Fields	Pennington
Bailes	Cantrell	Glass	Perry
Baker (DeKalb)	Collins	Hankins	Powell
Baker (Madison)	Cook	Hannah	Rast
Barnett	Cooper	Heflin	Rogers
Bassett	Crawford	Hogan	Scurlock
Bevill	Davis	Jones (Covington)	Slate
Blanton	Dominick	Locke	Smith
Bolton	Downing	McDermott	Stembridge
Boston	Drake	Mashburn	Teel
Bowers	Edington	Meade	Tuck
Branyon	Edwards (Escambia)	Meeks	Turner (Limestone)
Brown (Jefferson)	Edwards (Lowndes)	Moore	Turnham
Brown (Tuscaloosa)	Engel	Paulk	Vacca
Camp	Etheredge		

—58

And the bill:

H. 95. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Branyon	Downing	Hogan
Bailes	Brown (Jefferson)	Drake	Holladay
Baker (DeKalb)	Brown (Tuscaloosa)	Edington	Jones (Covington)
Baker (Madison)	Camp	Edwards (Escambia)	Locke
Barnett	Campbell(Tuscaloosa)	Edwards (Lowndes)	McDermott
Bassett	Cantrell	Engel	Mashburn
Bevill	Collins	Fields	Meade
Blanton	Cook	Glass	Meeks
Bolton	Cooper	Hankins	Paulk
Boston	Crawford	Hannah	Pennington
Bowers	Davis	Heflin	Perry

Powell	Slate	Teel	Turnham
Rogers	Smith	Tuck	Vacca
Scurlock	Stembridge	Turner (Limestone)	—55

And the bill:

H. 96. Regulating the compensation of election officers in counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Was taken up.

Mr. Hankins offered the following amendment to the bill, H. 96:

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

And the amendment was adopted.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Campbell(Tuscaloosa)	Glass	Owens
Bailes	Cantrell	Hankins	Paulk
Baker (DeKalb)	Collins	Hannah	Pennington
Baker (Madison)	Cook	Heflin	Perry
Barnett	Cooper	Hogan	Powell
Bassett	Crawford	Holladay	Rogers
Bevill	Davis	Jones (Covington)	Scurlock
Blanton	Dominick	Locke	Slate
Bolton	Downing	McDermott	Smith
Boston	Drake	Mashburn	Teel
Bowers	Edington	Meade	Tuck
Branyon	Edwards (Escambia)	Meeks	Turner (Limestone)
Brown (Jefferson)	Edwards (Lowndes)	Moore	Turnham
Brown (Tuscaloosa)	Engel	Nabors	Vacca
Burns	Fields		—58

And said bill, H. 96, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hannah	Pennington
Bailes	Collins	Hawkins	Perry
Baker (DeKalb)	Cook	Heflin	Powell
Baker (Madison)	Cooper	Hogan	Reynolds
Barnett	Crawford	Holladay	Rogers
Bassett	Davis	Jones (Covington)	Scurlock
Bevill	Downing	Locke	Sessions
Blanton	Drake	McDermott	Slate
Bolton	Edington	Mashburn	Smith
Boston	Edwards (Escambia)	Meade	Steagall
Bowers	Edwards (Lowndes)	Meeks	Teel
Branyon	Engel	Moore	Tuck
Brown (Jefferson)	Etheredge	Nabors	Turner (Limestone)
Brown (Tuscaloosa)	Fields	Nettles	Turnham
Burns	Glass	Paulk	Vacca
Campbell(Tuscaloosa)	Hankins		—62

And the bill:

H. 97. To apply only in counties having populations of not less than 13,700 nor more than 14,300, relative to closing the office of officials in the courthouse.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hannah	Pennington
Bailes	Collins	Heflin	Perry
Baker (DeKalb)	Cook	Hogan	Powell
Baker (Madison)	Cooper	Holladay	Rast
Barnett	Crawford	Jones (Covington)	Reynolds
Bassett	Davis	Locke	Rogers
Bevill	Downing	McDermott	Scurlock
Blanton	Drake	Mashburn	Sessions
Bolton	Edington	Meade	Slate
Boston	Edwards (Escambia)	Meeks	Smith
Bowers	Edwards (Lowndes)	Moore	Steagall
Branyon	Engel	Nabors	Tuck
Brown (Jefferson)	Etheredge	Nettles	Turner (Limestone)
Brown (Tuscaloosa)	Fields	Owens	Turnham
Burns	Glass	Paulk	Vacca
Campbell (Tuscaloosa)	Hankins		

—62

And the bill:

H. 98. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Collins	Heflin	Perry
Bailes	Cook	Hogan	Powell
Baker (DeKalb)	Crawford	Holladay	Rast
Baker (Madison)	Davis	Jones (Covington)	Reynolds
Barnett	Dominick	Locke	Rogers
Bassett	Downing	McDermott	Scurlock
Blanton	Edington	Mashburn	Sessions
Bolton	Edwards (Escambia)	Meade	Slate
Boston	Edwards (Lowndes)	Meeks	Smith
Bowers	Engel	Moore	Steagall
Branyon	Etheredge	Nabors	Teel
Brown (Jefferson)	Fields	Nettles	Tuck
Brown (Tuscaloosa)	Glass	Owens	Turner (Limestone)
Burns	Hankins	Paulk	Turnham
Cantrell	Hannah	Pennington	Vacca

—60

And the bill:

H. 99. To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Glass	Paulk
Bailes	Collins	Hankins	Pennington
Baker (DeKalb)	Cook	Hannah	Perry
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Crawford	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Bevill	Dominick	Jones (Covington)	Rogers
Blanton	Downing	Locke	Scurlock
Bolton	Drake	McDermott	Slate
Boston	Edington	Mashburn	Smith
Bowers	Edwards (Escambia)	Meade	Teel
Branyon	Edwards (Lowndes)	Meeks	Tuck
Brown (Jefferson)	Engel	Moore	Turner (Limestone)
Brown (Tuscaloosa)	Etheredge	Nabors	Turnham
Burns	Fields	Owens	Vacca
Campbell(Tuscaloosa)			

—61

And the bill:

H. 100. Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Paulk
Bailes	Collins	Hankins	Pennington
Baker (DeKalb)	Cook	Hannah	Perry
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Crawford	Hogan	Rast
Bassett	Daniel	Holladay	Reynolds
Bevill	Davis	Jones (Covington)	Rogers
Blanton	Dominick	Locke	Scurlock
Bolton	Downing	McDermott	Slate
Boston	Drake	Mashburn	Smith
Bowers	Edington	Meade	Teel
Branyon	Edwards (Escambia)	Meeks	Tuck
Brown (Jefferson)	Edwards (Lowndes)	Moore	Turner (Limestone)
Brown (Tuscaloosa)	Engel	Nabors	Turnham
Burns	Etheredge	Owens	Vacca
Cantrell	Fields		

—62

And the bill:

H. 101. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein

provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Glass	Paulk
Bailes	Cates	Hankins	Pennington
Baker (DeKalb)	Collins	Hannah	Perry
Baker (Madison)	Cook	Heflin	Powell
Barnett	Cooper	Hogan	Rast
Bassett	Crawford	Holladay	Reynolds
Bevill	Daniel	Jones (Covington)	Rogers
Blanton	Davis	Locke	Scurlock
Bolton	Downing	McDermott	Slate
Boston	Drake	Mashburn	Smith
Bowers	Edington	Meade	Teel
Branyon	Edwards (Escambia)	Meeks	Tuck
Brown (Jefferson)	Edwards (Lowndes)	Moore	Turner (Limestone)
Brown (Tuscaloosa)	Engel	Nabors	Turnham
Burns	Etheredge	Owens	Vacca
Campbell (Tuscaloosa)	Fields		

—62

And the bill:

H. 102. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Pennington
Bailes	Collins	Hannah	Perry
Baker (DeKalb)	Cook	Heflin	Powell
Baker (Madison)	Cooper	Hogan	Rast
Barnett	Crawford	Holladay	Reynolds
Bassett	Daniel	Jones (Covington)	Rogers
Bevill	Davis	Locke	Scurlock
Blanton	Downing	McDermott	Slate
Bolton	Drake	Mashburn	Smith
Boston	Edington	Meade	Steagall
Bowers	Edwards (Escambia)	Meeks	Teel
Branyon	Edwards (Lowndes)	Moore	Tuck
Brown (Jefferson)	Engel	Nabors	Turner (Limestone)
Brown (Tuscaloosa)	Etheredge	Owens	Turnham
Burns	Fields	Paulk	Vacca
Cantrell	Glass		

—62

And the bill:

H. 103. Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Pennington
Baker (DeKalb)	Cook	Hannah	Perry
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Crawford	Hogan	Rast
Bassett	Daniel	Holladay	Reynolds
Bevill	Davis	Jones (Covington)	Rogers
Blanton	Downing	Locke	Scurlock
Bolton	Drake	McDermott	Slate
Boston	Edington	Mashburn	Smith
Bowers	Edwards (Escambia)	Meade	Steagall
Branyon	Edwards (Lowndes)	Meeks	Tuck
Brown (Jefferson)	Engel	Nabors	Turner (Limestone)
Brown (Tuscaloosa)	Etheredge	NeSmith	Turnham
Burns	Fields	Owens	Vacca
Cantrell	Glass	Paulk	

—59

And the bill:

H. 104. Relating to Lee County; fixing the pay of jurors, grand and petit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Pennington
Bailes	Cook	Heflin	Perry
Baker (DeKalb)	Crawford	Hogan	Powell
Baker (Madison)	Daniel	Holladay	Rast
Barnett	Davis	Jones (Covington)	Reynolds
Bassett	Downing	Locke	Rogers
Bevill	Drake	McDermott	Scurlock
Blanton	Edington	Mashburn	Slate
Bolton	Edwards (Escambia)	Meade	Smith
Boston	Edwards (Lowndes)	Meeks	Steagall
Bowers	Engel	Moore	Teel
Branyon	Etheredge	Nabors	Tuck
Brown (Jefferson)	Fields	NeSmith	Turner (Limestone)
Burns	Gilmore	Owens	Turnham
Cantrell	Glass	Paulk	Vacca
Cates	Hankins		

—62

And the bill:

H. 105. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 49,500 nor more than 50,500 according to the

1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Paulk
Bailes	Collins	Hankins	Pennington
Baker (DeKalb)	Cook	Hannah	Perry
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Crawford	Hogan	Rast
Bassett	Daniel	Holladay	Reynolds
Bevill	Davis	Jones (Covington)	Rogers
Blanton	Downing	Locke	Scurlock
Bolton	Drake	McDermott	Slate
Boston	Edington	Mashburn	Smith
Bowers	Edwards (Escambia)	Meade	Steagall
Branyon	Edwards (Lowndes)	Meeks	Teel
Brown (Jefferson)	Engel	Moore	Tuck
Brown (Tuscaloosa)	Etheredge	Nabors	Turner (Limestone)
Burns	Fields	NeSmith	Turnham
Cantrell	Gilmore	Owens	Vacca

—64

And the bill:

H. 108. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Collins	Glass	Paulk
Bailes	Cook	Hankins	Pennington
Baker (DeKalb)	Cooper	Hannah	Perry
Baker (Madison)	Crawford	Heflin	Powell
Barnett	Daniel	Hogan	Reynolds
Bassett	Davis	Holladay	Rogers
Blanton	Dominick	Jones (Covington)	Scurlock
Bolton	Downing	Locke	Slate
Boston	Drake	McDermott	Smith
Bowers	Edington	Mashburn	Snell
Branyon	Edwards (Escambia)	Meade	Teel
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Tuck
Brown (Tuscaloosa)	Engel	Moore	Turner (Limestone)
Burns	Etheredge	Nabors	Turnham
Cantrell	Fields	NeSmith	Vacca
Cates	Gilmore	Owens	

—63

And the bill:

H. 109. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the pay-

ment of the compensation of members and chairman of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Collins	Hankins	Paulk
Bailes	Cook	Hannah	Pennington
Baker (DeKalb)	Cooper	Hawkins	Perry
Baker (Madison)	Crawford	Heflin	Powell
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Bevill	Downing	Jones (Covington)	Rogers
Blanton	Drake	Locke	Scurlock
Bolton	Edington	McDermott	Slate
Boston	Edwards (Escambia)	Mashburn	Smith
Bowers	Edwards (Lowndes)	Meade	Snell
Branyon	Engel	Meeks	Steagall
Brown (Jefferson)	Etheredge	Moore	Teel
Brown (Tuscaloosa)	Fields	Morrow	Tuck
Cantrell	Gilmore	Nabors	Turner (Limestone)
Casey	Glass	NeSmith	Turnham
Cates	Grouby	Owens	Vacca

—68

And the bill:

H. 146. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Collins	Grouby	Paulk
Bailes	Cook	Hankins	Pennington
Baker (DeKalb)	Cooper	Hannah	Perry
Baker (Madison)	Crawford	Hawkins	Powell
Barnett	Daniel	Heflin	Rast
Bassett	Davis	Hogan	Reynolds
Bevill	Dominick	Holladay	Rogers
Blanton	Downing	Jones (Covington)	Scurlock
Bolton	Drake	Locke	Slate
Boston	Edington	McDermott	Smith
Bowers	Edwards (Escambia)	Mashburn	Snell
Branyon	Edwards (Lowndes)	Meade	Steagall
Brown (Jefferson)	Engel	Meeks	Teel
Brown (Tuscaloosa)	Etheredge	Moore	Tuck
Cantrell	Fields	Nabors	Turner (Limestone)
Casey	Gilmore	NeSmith	Turnham
Cates	Glass	Owens	Vacca

—68

And the bill:

H. 147. To provide for the payment of an expense allowance for certain members of the board of revenue and control, court of county commissioners, or like governing body in every county having a popu-

lation of not less than 57,000 nor more than 61,500 for expenses incurred in the performance of their duties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cook	Hankins	Paulk
Bailes	Cooper	Hannah	Pennington
Baker (DeKalb)	Crawford	Hawkins	Perry
Baker (Madison)	Daniel	Heflin	Powell
Barnett	Davis	Hogan	Rast
Bassett	Dominick	Holladay	Reynolds
Bevill	Downing	Ingram	Rogers
Blanton	Drake	Jones (Covington)	Scurlock
Bolton	Edington	Locke	Slate
Boston	Edwards (Escambia)	McDermott	Smith
Bowers	Edwards (Lowndes)	Mashburn	Snell
Branyon	Engel	Meade	Steagall
Brown (Jefferson)	Etheredge	Meeks	Teel
Brown (Tuscaloosa)	Fields	Moore	Tuck
Cantrell	Gilmore	Nabors	Turner (Limestone)
Casey	Glass	NeSmith	Turnham
Cates	Grouby	Owens	Vacca

—68

And the bill:

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Collins	Grouby	Paulk
Bailes	Cook	Hankins	Pennington
Baker (DeKalb)	Cooper	Hannah	Perry
Baker (Madison)	Crawford	Heflin	Powell
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Blanton	Dominick	Ingram	Rogers
Bolton	Downing	Jones (Covington)	Scurlock
Boston	Drake	Locke	Slate
Bowers	Edington	McDermott	Smith
Branyon	Edwards (Escambia)	Mashburn	Snell
Brown (Jefferson)	Edwards (Lowndes)	Meade	Steagall
Brown (Tuscaloosa)	Engel	Meeks	Teel
Cantrell	Etheredge	Moore	Tuck
Carr	Fields	Nabors	Turner (Limestone)
Casey	Gilmore	NeSmith	Turnham
Cates	Glass	Owens	Vacca

—68

And the bill:

H. 149. To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Cook	Hankins	Paulk
Bailes	Cooper	Hannah	Pennington
Baker (DeKalb)	Crawford	Hawkins	Perry
Baker (Madison)	Daniel	Heflin	Powell
Barnett	Davis	Hogan	Rast
Bassett	Dominick	Holladay	Reynolds
Bevill	Downing	Ingram	Rogers
Blanton	Drake	Jones (Covington)	Scurlock
Bolton	Edington	Locke	Slate
Boston	Edwards (Escambia)	McDermott	Smith
Bowers	Edwards (Lowndes)	Mashburn	Snell
Branyon	Engel	Meade	Steagall
Brown (Jefferson)	Etheredge	Meeks	Teel
Brown (Tuscaloosa)	Fields	Moore	Tuck
Cantrell	Gilmore	Morrow	Turner (Limestone)
Carr	Glass	Nabors	Turnham
Cates	Grouby	Owens	Vacca
Collins			

—69

And the bill:

H. 150. TO AMEND SECTION 2, OF ACT NO. 259, H. 507, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX ASSESSOR OF PIKE COUNTY.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Paulk
Bailes	Collins	Hankins	Pennington
Baker (DeKalb)	Cook	Hannah	Perry
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Crawford	Hogan	Rast
Bassett	Daniel	Holladay	Reynolds
Bevill	Davis	Jones (Covington)	Rogers
Blanton	Downing	Locke	Scurlock
Bolton	Drake	McDermott	Slate
Boston	Edington	Mashburn	Smith
Bowers	Edwards (Escambia)	Meade	Snell
Branyon	Edwards (Lowndes)	Meeks	Steagall
Brown (Jefferson)	Engel	Moore	Teel
Brown (Tuscaloosa)	Etheredge	Nabors	Tuck
Burns	Fields	NeSmith	Turnham
Cantrell	Gilmore	Owens	Vacca
Carr	Glass		

—66

And the bill:

H. 151. TO AMEND SECTION 2, OF ACT NO. 258, H. 506, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX COLLECTOR OF PIKE COUNTY.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Paulk
Bailes	Collins	Hankins	Pennington
Baker (DeKalb)	Cook	Hannah	Perry
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Crawford	Hogan	Rast
Bassett	Daniel	Holladay	Reynolds
Bevill	Davis	Jones (Covington)	Rogers
Blanton	Downing	Locke	Scurlock
Bolton	Drake	McDermott	Slate
Boston	Edington	Mashburn	Smith
Bowers	Edwards (Escambia)	Meeks	Snell
Branyon	Edwards (Lowndes)	Moore	Teel
Brown (Jefferson)	Engel	Morrow	Tuck
Brown (Tuscaloosa)	Etheredge	Nabors	Turner (Limestone)
Burns	Fields	NeSmith	Turnham
Cantrell	Gilmore	Owens	Vacca
Carr	Glass		

—66

And the bill:

H. 152. TO AMEND SECTION 1 OF ACT NO. 332, H. 602, REGULAR SESSION 1961, AN ACT PROVIDING FOR A CLERK OF THE JUVENILE COURT OF PIKE COUNTY (ACTS 1961, V. 1, P. 358).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Paulk
Bailes	Collins	Hankins	Pennington
Baker (DeKalb)	Cook	Hannah	Perry
Baker (Madison)	Cooper	Hawkins	Powell
Barnett	Crawford	Heflin	Rast
Bassett	Daniel	Hogan	Reynolds
Bevill	Davis	Holladay	Rogers
Blanton	Downing	Jones (Covington)	Scurlock
Bolton	Drake	Locke	Slate
Boston	Edington	McDermott	Smith
Bowers	Edwards (Escambia)	Mashburn	Snell
Branyon	Edwards (Lowndes)	Meade	Teel
Brown (Jefferson)	Engel	Meeks	Tuck
Brown (Tuscaloosa)	Etheredge	Moore	Turner (Limestone)
Burns	Fields	Nabors	Turnham
Cantrell	Gilmore	NeSmith	Vacca
Carr	Glass	Owens	

—67

And the bill:

H. 153. TO AMEND SECTION 2 OF ACT NO. 148, S. 185, REGULAR SESSION 1955, AN ACT PROVIDING FOR A DEPUTY CIRCUIT CLERK FOR PIKE COUNTY.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Collins	Hawkins	Pennington
Bailes	Cook	Heflin	Perry
Baker (DeKalb)	Cooper	Hogan	Powell
Baker (Madison)	Crawford	Holladay	Rast
Barnett	Daniel	Jones (Covington)	Reynolds
Bassett	Davis	Locke	Rogers
Bevill	Drake	McDermott	Scurlock
Bolton	Edington	Mashburn	Slate
Boston	Edwards (Lowndes)	Meade	Smith
Bowers	Engel	Meeks	Snell
Branyon	Etheredge	Morrow	Teel
Brown (Jefferson)	Fields	Nabors	Tuck
Brown (Tuscaloosa)	Gilmore	NeSmith	Turner (Limestone)
Burns	Glass	Owens	Turnham
Cantrell	Hankins	Paulk	Vacca
Cates	Hannah		

—62

And the bill:

H. 154. To amend Act No. 218 S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Pennington
Bailes	Collins	Hannah	Perry
Baker (DeKalb)	Cooper	Heflin	Powell
Baker (Madison)	Crawford	Hogan	Rast
Barnett	Daniel	Holladay	Reynolds
Bassett	Davis	Jones (Covington)	Rogers
Bevill	Dominick	Locke	Scurlock
Blanton	Drake	McDermott	Sessions
Bolton	Edington	Mashburn	Slate
Boston	Edwards (Escambia)	Meade	Smith
Bowers	Edwards (Lowndes)	Meeks	Snell
Branyon	Engel	Moore	Teel
Brown (Jefferson)	Etheredge	Nabors	Tuck
Brown (Tuscaloosa)	Fields	NeSmith	Turner (Limestone)
Burns	Gilmore	Owens	Turnham
Cantrell	Glass	Paulk	Vacca

—64

And the bill:

H. 155. Relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Powell
Avery	Collins	Heflin	Rast
Bailes	Cook	Hogan	Reynolds
Baker (DeKalb)	Cooper	Holladay	Rogers
Baker (Madison)	Crawford	Jones (Covington)	Scurlock
Barnett	Daniel	Locke	Sessions
Bassett	Davis	McDermott	Slate
Bevill	Drake	Mashburn	Smith
Blanton	Edington	Meade	Snell
Bolton	Edwards (Escambia)	Meeks	Steagall
Boston	Edwards (Lowndes)	Moore	Sullivan
Bowers	Engel	Nabors	Teel
Branyon	Etheredge	NeSmith	Tuck
Brown (Jefferson)	Fields	Owens	Turner (Limestone)
Brown (Tuscaloosa)	Gilmore	Paulk	Turnham
Burns	Glass	Pennington	Vacca
Cantrell	Hankins	Perry	

—67

And the bill:

H. 157. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

Was taken up.

Mr. Camp offered the following amendment to the bill, H. 157:

AMENDMENT TO HB 157

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Perry
Avery	Collins	Hawkins	Powell
Bailes	Cook	Heflin	Rast
Baker (DeKalb)	Cooper	Hogan	Reynolds
Baker (Madison)	Crawford	Holladay	Rogers
Barnett	Daniel	Jones (Covington)	Scurlock
Bassett	Davis	Locke	Sessions
Bevill	Downing	McDermott	Slate
Blanton	Drake	Mashburn	Smith
Bolton	Edington	Meade	Snell
Boston	Edwards (Escambia)	Meeks	Steagall
Bowers	Edwards (Lowndes)	Moore	Sullivan
Branyon	Engel	Nabors	Teel
Brown (Jefferson)	Etheredge	NeSmith	Tuck
Brown (Tuscaloosa)	Fields	Owens	Turner (Limestone)
Burns	Gilmore	Paulk	Turnham
Cantrell	Glass	Pennington	Vacca

—68

And said bill, H. 157, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Carr	Hawkins	Pennington
Avery	Cates	Heflin	Perry
Bailes	Collins	Hogan	Powell
Baker (DeKalb)	Cook	Holladay	Rast
Baker (Madison)	Cooper	Ingram	Reynolds
Barnett	Crawford	Jones (Covington)	Scurlock
Bassett	Daniel	Locke	Sessions
Bevill	Davis	McDermott	Slate
Blanton	Drake	Mashburn	Smith
Bolton	Edington	Meade	Snell
Boston	Edwards (Escambia)	Meeks	Steagall
Bowers	Edwards (Lowndes)	Moore	Sullivan
Branyon	Engel	Nabors	Teel
Brown (Jefferson)	Etheredge	NeSmith	Tuck
Brown (Tuscaloosa)	Fields	Owens	Turnham
Burns	Gilmore	Paulk	Vacca
Cantrell	Glass		

—66

And the bill:

H. 158. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-Five Thousand (65,000) nor more than Ninety-five Thousand (95,000), according to the most recent Federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Carr	Glass	Pennington
Avery	Cates	Grouby	Perry
Bailes	Collins	Hawkins	Powell
Baker (DeKalb)	Cook	Heflin	Rast
Baker (Madison)	Cooper	Hogan	Reynolds
Barnett	Crawford	Holladay	Rogers
Bassett	Daniel	Jones (Covington)	Scurlock
Bevill	Davis	Locke	Sessions
Blanton	Downing	McDermott	Slate
Bolton	Drake	Mashburn	Smith
Boston	Edington	Meade	Snell
Bowers	Edwards (Escambia)	Meeks	Steagall
Branyon	Edwards (Lowndes)	Moore	Sullivan
Brown (Jefferson)	Engel	Nabors	Teel
Brown (Tuscaloosa)	Etheredge	NeSmith	Tuck
Burns	Fields	Owens	Turnham
Cantrell	Gilmore	Paulk	Vacca

—68

And the bill:

H. 160. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a

combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Pennington
Avery	Collins	Hawkins	Perry
Bailes	Cook	Heflin	Powell
Baker (DeKalb)	Cooper	Hogan	Rast
Baker (Madison)	Crawford	Holladay	Reynolds
Barnett	Daniel	Jones (Covington)	Rogers
Bassett	Davis	Locke	Scurlock
Bevill	Downing	McDermott	Sessions
Blanton	Drake	Mashburn	Smith
Bolton	Edington	Meade	Snell
Boston	Edwards (Escambia)	Meeks	Steagall
Bowers	Edwards (Lowndes)	Moore	Sullivan
Branyon	Engel	Morrow	Teel
Brown (Jefferson)	Etheredge	Nabors	Tuck
Brown (Tuscaloosa)	Fields	NeSmith	Turnham
Burns	Gilmore	Owens	Vacca
Cantrell	Glass	Paulk	

—67

And the bill:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property annexed to municipalities in such counties, and in newly incorporated areas.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Pennington
Avery	Collins	Hawkins	Perry
Bailes	Cook	Heflin	Powell
Baker (DeKalb)	Cooper	Hogan	Rast
Baker (Madison)	Crawford	Holladay	Reynolds
Barnett	Daniel	Jones (Covington)	Rogers
Bassett	Davis	Locke	Scurlock
Blanton	Downing	McDermott	Sessions
Bolton	Drake	Mashburn	Smith
Boston	Edington	Meade	Snell
Bowers	Edwards (Escambia)	Meeks	Steagall
Branyon	Edwards (Lowndes)	Moore	Sullivan
Brown (Jefferson)	Engel	Morrow	Teel
Brown (Tuscaloosa)	Etheredge	Nabors	Tuck
Burns	Fields	NeSmith	Turnham
Cantrell	Gilmore	Owens	Vacca
Carr	Glass	Paulk	

—67

And the bill:

H. 38. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 1.

Yeas:

Mr. Speaker	Carr	Glass	Paulk
Avery	Cates	Grouby	Pennington
Bailes	Collins	Hawkins	Perry
Baker (DeKalb)	Cook	Heflin	Powell
Baker (Madison)	Cooper	Hogan	Reynolds
Bassett	Crawford	Holladay	Rogers
Bethea (M)	Daniel	Jones (Covington)	Scurlock
Bevill	Downing	Locke	Sessions
Blanton	Drake	McDermott	Smith
Bolton	Edington	Mashburn	Snell
Boston	Edwards (Escambia)	Meade	Steagall
Bowers	Edwards (Lowndes)	Meeks	Sullivan
Branyon	Engel	Moore	Teel
Brown (Jefferson)	Etheredge	Nabors	Tuck
Brown (Tuscaloosa)	Fields	NeSmith	Turnham
Burns	Gilmore	Owens	Vacca
Cantrell			

—65

Nay: Mr. Bethea (B)

—1

H. 39 INDEFINITELY POSTPONED

On motion of Mr. Rast, the bill, H. 39, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 40. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Gilmore	NeSmith
Avery	Carr	Glass	Owens
Bailes	Casey	Grouby	Paulk
Baker (DeKalb)	Cates	Hawkins	Pennington
Baker (Madison)	Collins	Heflin	Perry
Barnett	Cooper	Hogan	Powell
Bassett	Crawford	Holladay	Reynolds
Bethea (B)	Daniel	Ingram	Rogers
Bethea (M)	Dominick	Jones (Covington)	Scurlock
Bevill	Downing	Locke	Sessions
Blanton	Drake	McDermott	Smith
Bolton	Edington	Mashburn	Snell
Boston	Edwards (Escambia)	Meade	Steagall
Bowers	Edwards (Lowndes)	Meeks	Teel
Branyon	Engel	Moore	Tuck
Brown (Jefferson)	Etheredge	Morrow	Turnham
Burns	Fields	Nabors	Vacca

—68

And the bill:

H. 41. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Cates	Hawkins	Perry
Avery	Collins	Heflin	Powell
Bailes	Cook	Hogan	Rast
Baker (DeKalb)	Cooper	Holladay	Reynolds
Baker (Madison)	Crawford	Ingram	Rogers
Barnett	Daniel	Jones (Covington)	Scurlock
Bassett	Downing	McDermott	Sessions
Bevill	Drake	Mashburn	Smith
Blanton	Edington	Meade	Snell
Bolton	Edwards (Escambia)	Morrow	Steagall
Boston	Edwards (Lowndes)	Nabors	Sullivan
Bowers	Engel	NeSmith	Teel
Branyon	Etheredge	Owens	Tuck
Brown (Jefferson)	Fields	Paulk	Turnham
Burns	Gilmore	Pennington	Vacca
Casey	Glass		

—62

And the bill:

H. 42. To authorize the governing body of any county having a population of 500,000 or more according to the last or any subsequent federal census to compensate any person for any injury to him or damage to his property by a motor vehicle operated by an employee of the county in the course of his employment where the governing body finds that the negligence of said employee was the proximate cause of such injury or damage, that the person who was injured or whose property was damaged was not guilty of any negligence proximately causing said injury or damage and that the circumstances of the injury or damage were such as to make compensation just and proper; and authorizing the county governing body to provide liability insurance for such purpose.

Was taken up.

Mr. Rast offered the following amendment to the bill, H. 42:

Amend H. B. 42 by deleting therefrom the entire Section 4, and re-numbering Section 5 to Section 4; Section 6 to Section 5; and Section 7 to Section 6.

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Glass	Owens
Avery	Casey	Grouby	Paulk
Bailes	Cates	Hawkins	Pennington
Baker (DeKalb)	Collins	Heflin	Perry
Baker (Madison)	Cook	Hogan	Powell
Barnett	Cooper	Holladay	Rast
Bassett	Crawford	Ingram	Reynolds
Bethea (B)	Daniel	Jones (Covington)	Rogers
Bethea (M)	Dominick	Locke	Scurlock
Bevill	Downing	McDermott	Smith
Blanton	Drake	Mashburn	Snell
Bolton	Edington	Meade	Steagall
Boston	Edwards (Escambia)	Meeks	Teel
Bowers	Edwards (Lowndes)	Moore	Tuck
Branyon	Engel	Morrow	Turnham
Brown (Jefferson)	Etheredge	Nabors	Vacca
Burns	Fields	NeSmith	

—67

And said bill, H. 42, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 1.

Yeas:

Mr. Speaker	Blanton	Collins	Engel
Avery	Bolton	Cook	Etheredge
Bailes	Boston	Cooper	Fields
Baker (DeKalb)	Bowers	Crawford	Gilmore
Baker (Madison)	Branyon	Daniel	Glass
Barnett	Brown (Jefferson)	Downing	Grouby
Bassett	Burns	Drake	Heflin
Bethea (B)	Cantrell	Edington	Hogan
Bethea (M)	Casey	Edwards (Escambia)	Holladay
Bevill	Cates	Edwards (Lowndes)	Ingram

Jones (Covington)	Morrow	Powell	Snell
Locke	Nabors	Rast	Steagall
McDermott	NeSmith	Reynolds	Sullivan
Mashburn	Owens	Rogers	Teel
Meade	Paulk	Scurlock	Tuck
Meeks	Pennington	Sessions	Turnham
Moore	Perry	Smith	Vacca

—68

Nay: Mr. Dominick

—1

And the bill:

H. 43. To amend SECTION 3 OF ACT NO. 695 OF THE 1951 LEGISLATURE.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Grouby	Paulk
Avery	Casey	Hawkins	Pennington
Bailes	Cates	Heflin	Perry
Baker (DeKalb)	Collins	Hogan	Powell
Baker (Madison)	Cooper	Holladay	Reynolds
Barnett	Crawford	Ingram	Rogers
Bassett	Daniel	Jones (Covington)	Scurlock
Bethea (B)	Downing	Locke	Sessions
Bethea (M)	Drake	McDermott	Smith
Bevill	Edington	Mashburn	Snell
Blanton	Edwards (Escambia)	Meade	Steagall
Bolton	Edwards (Lowndes)	Meeks	Sullivan
Boston	Engel	Moore	Teel
Bowers	Etheredge	Morrow	Tuck
Branyon	Fields	Nabors	Turnham
Brown (Jefferson)	Gilmore	NeSmith	Vacca
Burns	Glass	Owens	

—67

And the bill:

H. 44. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Bethea (M)	Burns	Dominick
Avery	Bevill	Cantrell	Downing
Bailes	Blanton	Casey	Drake
Baker (DeKalb)	Bolton	Cates	Edington
Baker (Madison)	Boston	Collins	Edwards (Escambia)
Barnett	Bowers	Cooper	Edwards (Lowndes)
Bassett	Branyon	Crawford	Engel
Bethea (B)	Brown (Jefferson)	Daniel	Etheredge

Fields	Jones (Covington)	NeSmith	Sessions
Gilmore	Locke	Owens	Smith
Glass	McDermott	Paulk	Snell
Grouby	Mashburn	Pennington	Steagall
Hawkins	Meade	Perry	Sullivan
Heflin	Meeks	Powell	Teel
Hogan	Moore	Reynolds	Tuck
Holladay	Morrow	Rogers	Turnham
Ingram	Nabors	Scurlock	Vacca

—68

And the bill:

H. 46. To establish an Inferior Court in Precincts 9, 10, 21 and 42 in Jefferson County Ala. and in all other precincts lying within or partly within the City of Birmingham, Ala. except Precincts 29, 45 and 52 in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory and with concurrent jurisdiction with all other justices of the peace and inferior courts in the Birmingham Division of Jefferson County, Alabama, to define the jurisdiction and powers of said court, the judge, clerks and other officers thereof: to provide for a place of holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary.

Was taken up.

Mr. Rast offered the following amendment to the bill, H. 46:

Amend the title of House Bill 46 so that said title shall read as follows:

To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

Amend Section 1 of House Bill 46 so that Section 1 reads as follows:

Section 1. There is hereby established an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and in all other precincts lying within or partly within the City of Birmingham, Alabama, according to its present or future limits, which shall be known and designated as the Court of General Sessions of Jefferson County, Alabama and which shall be in lieu of all justices of the peace, notaries public with powers of Justices of the peace and ex officio justices of the peace within said precincts. Said Court of General Sessions shall have concurrent jurisdiction with all justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County other than said numbered precincts. The Court of General Sessions shall have all the powers and jurisdiction now conferred or that may hereafter be conferred in civil cases upon justices of the peace or on

this court, and the judge of said court shall have and exercise all the power and authority, and shall perform all the duties now prescribed by law or may hereafter be prescribed by law for a justice of the peace and as set out in this Act.

Amend Section 3 of House Bill 46 so that Section 3 reads as follows:

Section 3. That the judge of this court shall hold court at least one time each week, and such other times as may be necessary to dispatch the business of the court in that part of the City of Birmingham known as North Birmingham. Upon the abolishment of the Municipal Court of Ensley the judge of the Court of General Sessions shall also hold court at least one time each week and such other times as may be necessary to dispatch the business of the court in that part of the City of Birmingham known as Ensley. All other times the judge of said court shall hold court in the courthouse in the City of Birmingham. It shall be the duty of the Board of Commissioners of Jefferson County, Alabama to provide suitable places for holding said court.

Amend Section 6 of House Bill 46 so that Section 6 reads as follows:

Section 6. The judge shall also appoint a deputy clerk for the division of said court in North Birmingham and upon the abolishment of the Municipal Court of Ensley the judge shall also appoint a deputy clerk for the division of said court in Ensley. These deputy clerks duties and responsibilities shall be the same and who shall give bond as required herein above for the clerk of this court.

Amend Section 17 of House Bill 46 so that Section 17 reads as follows:

'This court shall have exclusive jurisdiction of all civil cases defined as to amount and kind in Section 19 of this Act in precincts 9, 10, 21 and 42 and concurrent jurisdiction of said civil cases in precincts 29, 45 and 52 and any other precincts lying within or partly within the City of Birmingham, Alabama, with any other inferior court now or hereafter created with jurisdiction in said precincts.

Amend House Bill 46 by adding thereto Section 29-A

Section 29-A. That the Municipal Court of Ensley be and same is hereby abolished effective on the first Monday after the second Tuesday of January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first. At the time of the abolishment of the Municipal Court of Ensley, all pending cases in said court together with all documents, papers and judgments of said court shall be transferred to the Court of General Sessions of Jefferson County as if they had been begun there and said Court of General Sessions shall have power and control over the same and may issue executions or other processes thereon the same as if the judgment had been originally rendered by said Court of General Sessions.

Amend Section 32 of House Bill 46 so that Section 32 reads as follows:

Section 32. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Cooper	Heflin	Pennington
Avery	Crawford	Hogan	Perry
Bailes	Daniel	Holladay	Powell
Baker (DeKalb)	Dominick	Ingram	Rast
Baker (Madison)	Downing	Jones (Covington)	Reynolds
Barnett	Drake	Locke	Rogers
Bassett	Edington	McDermott	Scurlock
Bethea (M)	Edwards (Escambia)	Mashburn	Sessions
Bevill	Edwards (Lowndes)	Meade	Smith
Blanton	Engel	Meeks	Snell
Bolton	Etheredge	Moore	Steagall
Boston	Fields	Morrow	Sullivan
Bowers	Gilmore	Nabors	Teel
Brown (Jefferson)	Glass	NeSmith	Tuck
Cantrell	Grouby	Owens	Turnham
Casey	Hawkins	Paulk	Vacca
Collins			

—65

And said bill, H. 46, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Cates	Hawkins	Pennington
Avery	Collins	Heflin	Perry
Bailes	Cooper	Hogan	Powell
Baker (DeKalb)	Crawford	Holladay	Rast
Baker (Madison)	Daniel	Ingram	Reynolds
Bassett	Dominick	Jones (Covington)	Rogers
Bethea (M)	Downing	Locke	Scurlock
Bevill	Drake	McDermott	Sessions
Blanton	Edington	Mashburn	Smith
Bolton	Edwards (Escambia)	Meade	Snell
Boston	Edwards (Lowndes)	Meeks	Steagall
Bowers	Engel	Moore	Sullivan
Branyon	Etheredge	Morrow	Teel
Brown (Jefferson)	Fields	Nabors	Tuck
Cantrell	Gilmore	NeSmith	Turnham
Carr	Glass	Owens	Vacca
Casey	Grouby	Paulk	

—67

And the bill:

H. 47. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve

processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Cates	Heflin	Perry
Avery	Collins	Hogan	Powell
Bailes	Cooper	Holladay	Rast
Baker (DeKalb)	Crawford	Ingram	Reynolds
Baker (Madison)	Daniel	Jones (Covington)	Rogers
Barnett	Dominick	Locke	Scurlock
Bassett	Downing	McDermott	Sessions
Bethea (M)	Drake	Mashburn	Slate
Bevill	Edington	Meade	Smith
Blanton	Edwards (Escambia)	Meeks	Snell
Bolton	Edwards (Lowndes)	Moore	Steagall
Boston	Engel	Morrow	Sullivan
Bowers	Etheredge	Nabors	Teel
Brown (Jefferson)	Fields	NeSmith	Tuck
Burns	Gilmore	Owens	Turner (Limestone)
Cantrell	Glass	Paulk	Turnham
Carr	Grouby	Pennington	Vacca
Casey	Hawkins		

—70

And the bill:

H. 48. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such Mayor all at the expense of such city.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Collins	Grouby	Perry
Baker (DeKalb)	Cook	Heflin	Powell
Baker (Madison)	Cooper	Hogan	Rast
Barnett	Crawford	Holladay	Reynolds
Bassett	Daniel	Ingram	Rogers
Bethea (M)	Davis	Jones (Covington)	Scurlock
Bevill	Dominick	McDermott	Sessions
Blanton	Downing	Mashburn	Smith
Bolton	Drake	Meade	Snell
Boston	Edington	Meeks	Steagall
Bowers	Edwards (Escambia)	Moore	Teel
Brown (Jefferson)	Edwards (Lowndes)	Morrow	Tuck
Cantrell	Etheredge	Nabors	Turner (Limestone)
Carr	Fields	Owens	Turnham
Casey	Gilmore	Paulk	Vacca
Cates	Glass	Pennington	

—63

And the bill:

H. 49. TO PROVIDE FOR AND FIX THE SUM OF THREE HUNDRED DOLLARS PER MONTH AS AN ALLOWANCE FOR EXPENSES FOR THE MAYOR OR OTHER CHIEF EXECUTIVE OFFICER OF ANY CITY HAVING A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS FOR WHICH HE SHALL NOT BE REQUIRED TO FILE AN ACCOUNTING.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Pennington
Avery	Collins	Heflin	Perry
Bailes	Cook	Hogan	Powell
Baker (DeKalb)	Cooper	Holladay	Rast
Baker (Madison)	Crawford	Ingram	Reynolds
Barnett	Daniel	Jones (Covington)	Rogers
Bassett	Davis	McDermott	Scurlock
Bethea (M)	Dominick	Mashburn	Sessions
Bevill	Downing	Meade	Smith
Blanton	Drake	Meeks	Snell
Bolton	Edington	Moore	Steagall
Boston	Edwards (Escambia)	Morrow	Teel
Bowers	Edwards (Lowndes)	Nabors	Tuck
Brown (Jefferson)	Engel	NeSmith	Turner (Limestone)
Cantrell	Etheredge	Owens	Turnham
Carr	Fields	Paulk	Vacca
Casey	Glass		

—66

And the bill:

H. 50. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Cook	Heflin	Perry
Avery	Cooper	Hogan	Powell
Bailes	Crawford	Holladay	Rast
Baker (DeKalb)	Daniel	Ingram	Reynolds
Baker (Madison)	Davis	Jones (Covington)	Rogers
Barnett	Dominick	Locke	Scurlock
Bassett	Downing	McDermott	Sessions
Bethea (M)	Drake	Mashburn	Smith
Bevill	Edington	Meade	Snell
Blanton	Edwards (Escambia)	Meeks	Steagall
Bolton	Edwards (Lowndes)	Moore	Sullivan
Bowers	Engel	Morrow	Teel
Brown (Jefferson)	Etheredge	Nabors	Tuck
Cantrell	Fields	Owens	Turner (Limestone)
Carr	Gilmore	Paulk	Turnham
Cates	Glass	Pennington	Vacca
Collins			

—65

And the bill:

H. 51. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Collins	Glass	Pennington
Avery	Cook	Heflin	Perry
Bailes	Cooper	Hogan	Powell
Baker (DeKalb)	Crawford	Holladay	Rast
Baker (Madison)	Daniel	Ingram	Reynolds
Barnett	Davis	Jones (Covington)	Rogers
Bassett	Dominick	Locke	Scurlock
Bethea (M)	Downing	McDermott	Sessions
Bevill	Drake	Mashburn	Smith
Blanton	Edington	Meade	Snell
Bolton	Edwards (Escambia)	Meeks	Steagall
Boston	Edwards (Lowndes)	Moore	Teel
Bowers	Engel	Morrow	Tuck
Branyon	Etheredge	Nabors	Turner (Limestone)
Brown (Jefferson)	Fields	Owens	Turnham
Cantrell	Gilmore	Paulk	Vacca
Carr			

—65

And the bill:

H. 52. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cook	Heflin	Perry
Avery	Cooper	Hogan	Powell
Bailes	Crawford	Holladay	Rast
Baker (Madison)	Daniel	Ingram	Reynolds
Barnett	Davis	Jones (Covington)	Rogers
Bassett	Dominick	Locke	Scurlock
Bethea (B)	Downing	McDermott	Sessions
Bethea (M)	Drake	Mashburn	Smith
Bevill	Edington	Meade	Snell
Blanton	Edwards (Escambia)	Meeks	Steagall
Bolton	Edwards (Lowndes)	Moore	Sullivan
Boston	Engel	Morrow	Teel
Bowers	Etheredge	Nabors	Tuck
Brown (Jefferson)	Fields	Owens	Turner (Limestone)
Cantrell	Gilmore	Paulk	Turnham
Carr	Glass	Pennington	Vacca
Collins	Hawkins		

—66

And the bill:

H. 53 (with substitute). To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 53

A BILL TO BE ENTITLED AN ACT

TO PROVIDE FOR THE COMPENSATION TO BE PAID THE DEPUTY CIRCUIT SOLICITOR WHO IS ELECTED BY THE PEOPLE, AND THE ASSISTANT DEPUTY CIRCUIT SOLICITOR, IN COUNTIES HAVING A POPULATION OF SIX HUNDRED THOUSAND OR MORE, ACCORDING TO THE LAST OR ANY SUCCEEDING DECENNIAL FEDERAL CENSUS AND TO PROVIDE FOR THE PAYMENT OF THE SAME AND TO PROVIDE THE DATE WHEN SAID ACT SHALL GO INTO EFFECT.

Be It Enacted by the Legislature of Alabama:

Section 1. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, there shall be paid to the Deputy Circuit Solicitor, who is elected by the people, of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy Circuit Solicitor, the same will make the total annual salary of each such Deputy Circuit Solicitor Fourteen Thousand Six Hundred (\$14,600.00) dollars. The increase in salary provided in this Section 1 shall become effective on the first Monday after the second Tuesday of January, 1967, this being the beginning of the next term of said Deputy Circuit Solicitor.

Section 2. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Assistant Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Assistant Deputy Circuit Solicitor the same will make the total annual salary of each such Assistant Deputy Circuit Solicitor Eleven Thousand Four Hundred and no/100 (\$11,400.00) dollars.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Pennington
Avery	Collins	Hawkins	Perry
Bailes	Cook	Heflin	Powell
Baker (Madison)	Cooper	Hogan	Rast
Barnett	Crawford	Holladay	Reynolds
Bassett	Daniel	Jones (Covington)	Rogers
Bethea (B)	Davis	Locke	Scurlock
Bethea (M)	Dominick	McDermott	Sessions
Bevill	Downing	Mashburn	Smith
Blanton	Drake	Meade	Snell
Bolton	Edington	Meeks	Steagall
Boston	Edwards (Escambia)	Moore	Sullivan
Bowers	Edwards (Lowndes)	Morrow	Teel
Brown (Jefferson)	Engel	Nabors	Tuck
Cantrell	Etheredge	Owens	Turnham
Carr	Fields	Paulk	Vacca
Casey	Gilmore		

—66

And said bill, H. 53, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Casey	Gilmore	Paulk
Avery	Cates	Glass	Pennington
Bailes	Collins	Hawkins	Perry
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Crawford	Hogan	Rast
Bassett	Daniel	Holladay	Reynolds
Bethea (B)	Davis	Jones (Covington)	Rogers
Bethea (M)	Dominick	Locke	Scurlock
Bevill	Downing	McDermott	Sessions
Blanton	Drake	Mashburn	Smith
Bolton	Edington	Meade	Snell
Boston	Edwards (Escambia)	Meeks	Steagall
Bowers	Edwards (Lowndes)	Moore	Teel
Brown (Jefferson)	Engel	Morrow	Tuck
Cantrell	Etheredge	Nabors	Turnham
Carr	Fields	Owens	Vacca

—64

And the bill:

H. 54 (with substitute). To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 54

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Be It Enacted by the Legislature of Alabama:

Section 1. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, there shall be paid to the Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Circuit Solicitor, the same will make the total annual salary of each such Circuit Solicitor Seventeen Thousand Seven Hundred Fifty-six Dollars (\$17,756.00). The increase in salary provided in this Section 1 shall become effective on the first Monday after the second Tuesday of January, 1967, this being the beginning of the next term of said Circuit Solicitor.

Section 2. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the First Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such First Deputy Circuit Solicitor the same will make the total annual salary of each such First Deputy Circuit Solicitor Thirteen Thousand Eight Hundred (\$13,800.00) Dollars.

Section 3. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Second Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Second Deputy Circuit Solicitor the same will make the total annual salary of each such Second Deputy Circuit Solicitor Twelve Thousand Six Hundred (\$12,600.00) Dollars.

Section 4. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Third Deputy Circuit Solicitor of each said county from the general treasury of the

county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the STATE of Alabama to each such Third Deputy Circuit Solicitor the same will make the total annual salary of each such Third Deputy Circuit Solicitor Eleven Thousand Four Hundred (\$11,400.00) Dollars.

Section 5. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Fourth Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Fourth Deputy Circuit Solicitor the same will make the total annual salary of each such Fourth Deputy Circuit Solicitor Ten Thousand Eight Hundred (\$10,800.00) Dollars.

Section 6. In each county of the STATE of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Fifth Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Fifth Deputy Circuit Solicitor the same will make the total annual salary of each such Fifth Deputy Circuit Solicitor Ten Thousand Eight Hundred (\$10,800.00) Dollars.

Section 7. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the ~~Sixth~~ Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Sixth Deputy Circuit Solicitor the same will make the total annual salary of each such Sixth Deputy Circuit Solicitor Nine Thousand Six Hundred (\$9,600.00) Dollars.

Section 8. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Deputy Circuit Solicitor appointed by the Solicitor to serve in any inferior criminal court, county criminal court, or county misdemeanor court of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy Circuit Solicitor the same will make the total annual salary of each such Deputy Circuit Solicitor Nine Thousand (\$9,000.00) Dollars.

Section 9. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court of said county or court created in lieu thereof of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy Circuit Solicitor the same will make the total annual salary of each such Deputy Circuit Solicitor Ten Thousand Two Hundred (\$10,200.00) Dollars.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 60; Nays 1.

Yeas:

Mr. Speaker	Cates	Gilmore	Paulk
Avery	Collins	Glass	Pennington
Bailes	Cook	Hawkins	Powell
Baker (Madison)	Cooper	Hester	Rast
Bassett	Crawford	Hogan	Reynolds
Bethea (B)	Daniel	Holladay	Rogers
Bethea (M)	Dominick	Jones (Covington)	Scurlock
Bevill	Downing	Locke	Sessions
Blanton	Drake	McDermott	Smith
Bolton	Edington	Mashburn	Snell
Boston	Edwards (Escambia)	Meade	Steagall
Bowers	Edwards (Lowndes)	Meeks	Teel
Brown (Jefferson)	Engel	Moore	Tuck
Cantrell	Etheredge	Morrow	Turnham
Casey	Fields	Owens	Vacca

—60

Nay: Mr. Perry

—1

And said bill, H. 54, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 1.

Yeas:

Mr. Speaker	Cook	Hawkins	Pennington
Avery	Cooper	Hester	Posey
Bailes	Crawford	Hogan	Powell
Baker (DeKalb)	Daniel	Holladay	Rast
Baker (Madison)	Davis	Jones (Covington)	Reynolds
Bassett	Dominick	Locke	Rogers
Bethea (M)	Downing	McDermott	Scurlock
Bevill	Drake	Mashburn	Sessions
Blanton	Edington	Meade	Smith
Bolton	Edwards (Escambia)	Meeks	Snell
Boston	Edwards (Lowndes)	Moore	Steagall
Bowers	Engel	Morrow	Teel
Brown (Jefferson)	Etheredge	Nabors	Tuck
Brown (Tuscaloosa)	Fields	Owens	Turnham
Cantrell	Gilmore	Paulk	Vacca
Collins	Glass		

—62

Nay: Mr. Perry

—1

And the bill:

H. 55. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Carr	Gilmore	Paulk
Avery	Collins	Glass	Pennington
Bailes	Cook	Hawkins	Perry
Baker (DeKalb)	Cooper	Hester	Powell
Baker (Madison)	Crawford	Hogan	Rast
Bassett	Daniel	Holladay	Reynolds
Bethea (B)	Davis	Ingram	Rogers
Bethea (M)	Dominick	Jones (Covington)	Scurlock
Bevill	Downing	Locke	Sessions
Blanton	Drake	McDermott	Smith
Bolton	Edington	Mashburn	Snell
Boston	Edwards (Escambia)	Meeks	Steagall
Bowers	Edwards (Lowndes)	Moore	Teel
Brown (Jefferson)	Engel	Morrow	Tuck
Brown (Tuscaloosa)	Etheredge	Nabors	Turnham
Burns	Fields	Owens	Vacca
Cantrell			

—65

And the bill:

H. 56. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Gilmore	Owens
Avery	Collins	Glass	Paulk
Bailes	Cooper	Hawkins	Pennington
Baker (DeKalb)	Crawford	Hester	Perry
Baker (Madison)	Daniel	Hogan	Powell
Bassett	Davis	Holladay	Rast
Bethea (B)	Dominick	Ingram	Rogers
Bethea (M)	Downing	Jones (Covington)	Scurlock
Bevill	Drake	Locke	Smith
Blanton	Edington	McDermott	Snell
Bolton	Edwards (Escambia)	Mashburn	Steagall
Boston	Edwards (Lowndes)	Meeks	Teel
Bowers	Engel	Moore	Tuck
Brown (Jefferson)	Etheredge	Morrow	Turnham
Burns	Fields	Nabors	Vacca

—60

And the bill:

H. 57. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regular the payment of the salaries of said judge:

Was taken up.

Mr. Rast offered the following amendment to the bill, H 57:

Amend H. B. 57 by deleting from the caption thereof the word "regular" and inserting therefor the word "regulate."

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Collins	Hawkins	Pennington
Avery	Cook	Hester	Perry
Bailes	Cooper	Hogan	Powell
Baker (DeKalb)	Crawford	Holladay	Rast
Baker (Madison)	Daniel	Ingram	Reynolds
Bassett	Davis	Jones (Covington)	Rogers
Bethea (B)	Dominick	Locke	Scurlock
Bethea (M)	Downing	McDermott	Sessions
Bevill	Drake	Mashburn	Smith
Blanton	Edington	Meeks	Snell
Bolton	Edwards (Escambia)	Moore	Steagall
Boston	Edwards (Lowndes)	Morrow	Teel
Bowers	Fields	Nabors	Tuck
Brown (Jefferson)	Gilmore	Owens	Turnham
Cantrell	Glass	Paulk	Vacca
Cates			

—61

And said bill, H. 57, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Collins	Gilmore	Pennington
Avery	Cook	Glass	Perry
Bailes	Cooper	Hawkins	Powell
Baker (DeKalb)	Crawford	Hester	Rast
Baker (Madison)	Daniel	Hogan	Reynolds
Bassett	Davis	Holladay	Rogers
Bethea (B)	Dominick	Jones (Covington)	Scurlock
Bethea (M)	Downing	Locke	Sessions
Bevill	Drake	McDermott	Smith
Blanton	Edington	Mashburn	Snell
Bolton	Edwards (Escambia)	Meeks	Steagall
Boston	Edwards (Lowndes)	Moore	Teel
Bowers	Engel	Morrow	Tuck
Brown (Jefferson)	Etheredge	Owens	Turnham
Cantrell	Fields	Paulk	Vacca
Cates			

—61

And the bill:

H. 58. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 857), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Bethea (B)	Bowers	Cooper
Avery	Bethea (M)	Brown (Jefferson)	Crawford
Bailes	Bevill	Cantrell	Daniel
Baker (DeKalb)	Blanton	Cates	Davis
Baker (Madison)	Bolton	Collins	Dominick
Bassett	Boston	Cook	Downing

Drake	Hawkins	Morrow	Scurlock
Edington	Hester	Owens	Sessions
Edwards (Escambia)	Hogan	Paulk	Smith
Edwards (Lowndes)	Holladay	Pennington	Snell
Engel	Jones (Covington)	Perry	Steagall
Etheredge	Locke	Powell	Teel
Fields	McDermott	Rast	Tuck
Gilmore	Mashburn	Reynolds	Turnham
Glass	Moore	Rogers	Vacca

—60

And the bill:

H. 59. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Collins	Gilmore	Pennington
Avery	Cook	Glass	Perry
Bailes	Cooper	Hawkins	Powell
Baker (DeKalb)	Crawford	Hester	Rast
Baker (Madison)	Daniel	Hogan	Reynolds
Bassett	Davis	Holladay	Rogers
Bethea (B)	Dominick	Jones (Covington)	Scurlock
Bethea (M)	Downing	Locke	Sessions
Bevill	Drake	McDermott	Smith
Blanton	Edington	Mashburn	Snell
Bolton	Edwards (Escambia)	Meeks	Steagall
Boston	Edwards (Lowndes)	Moore	Teel
Bowers	Engel	Morrow	Tuck
Brown (Jefferson)	Etheredge	Owens	Turnham
Cantrell	Fields	Paulk	Vacca
Cates			

—61

And the bill:

H. 60. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Bolton	Cooper	Edwards (Lowndes)
Avery	Boston	Crawford	Engel
Bailes	Bowers	Daniel	Etheredge
Baker (DeKalb)	Brown (Jefferson)	Davis	Fields
Baker (Madison)	Brown (Tuscaloosa)	Dominick	Glass
Bassett	Burns	Downing	Hawkins
Bethea (B)	Cantrell	Drake	Hester
Bethea (M)	Cates	Edington	Hogan
Bevill	Collins	Edwards (Escambia)	Holladay

Jones (Covington)	Morrow	Rast	Steagall
Locke	Owens	Reynolds	Teel
McDermott	Paulk	Rogers	Tuck
Mashburn	Pennington	Scurlock	Turner (Limestone)
Meeks	Perry	Smith	Turnham
Moore	Powell	Snell	Vacca

—60

And the bill:

H. 61. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Perry
Avery	Collins	Hawkins	Powell
Bailes	Cooper	Hester	Rast
Baker (DeKalb)	Crawford	Hogan	Reynolds
Baker (Madison)	Daniel	Holladay	Rogers
Bassett	Davis	Jones (Covington)	Scurlock
Bethea (B)	Downing	Locke	Sessions
Bethea (M)	Drake	McDermott	Smith
Bevill	Edgington	Mashburn	Snell
Blanton	Edwards (Escambia)	Meeks	Steagall
Bolton	Edwards (Lowndes)	Moore	Teel
Boston	Engel	Morrow	Tuck
Bowers	Etheredge	Owens	Turner (Limestone)
Brown (Jefferson)	Fields	Paulk	Turnham
Cantrell	Gilmore	Pennington	Vacca

—60

And the bill:

H. 62. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Bowers	Edwards (Escambia)	McDermott
Avery	Brown (Jefferson)	Edwards (Lowndes)	Mashburn
Bailes	Cantrell	Engel	Meeks
Baker (DeKalb)	Cates	Etheredge	Moore
Baker (Madison)	Collins	Fields	Morrow
Barnett	Cooper	Gilmore	Owens
Bassett	Crawford	Glass	Paulk
Bethea (B)	Daniel	Hawkins	Pennington
Bethea (M)	Davis	Hester	Perry
Bevill	Dominick	Hogan	Powell
Blanton	Downing	Holladay	Rast
Bolton	Drake	Jones (Covington)	Reynolds
Boston	Edgington	Locke	Rogers

Scurlock
Sessions
Smith

Snell
Steagall
Teel

Tuck
Turner (Limestone)

Turnham
Vacca

—62

And the bill:

H. 63. To amend Act. No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker
Avery
Bailes
Baker (DeKalb)
Baker (Madison)
Barnett
Bassett
Bethea (B)
Bethea (M)
Bevill
Blanton
Bolton
Boston
Bowers
Brown (Jefferson)
Cantrell

Cates
Collins
Cook
Cooper
Crawford
Daniel
Davis
Dominick
Downing
Drake
Edgington
Edwards (Escambia)
Edwards (Lowndes)
Engel
Etheredge
Fields

Gilmore
Glass
Hawkins
Hester
Hogan
Holladay
Jones (Covington)
Locke
McDermott
Mashburn
Meeks
Moore
Morrow
Owens
Paulk
Pennington

Perry
Powell
Rast
Reynolds
Rogers
Scurlock
Sessions
Smith
Snell
Steagall
Teel
Tuck
Turner (Limestone)
Turnham
Vacca

—63

And the bill:

H. 64. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker
Avery
Bailes
Baker (DeKalb)
Baker (Madison)
Barnett
Bassett
Bethea (B)
Bethea (M)
Bevill
Blanton
Bolton
Boston
Brown (Jefferson)
Cantrell

Cates
Collins
Cook
Cooper
Crawford
Daniel
Davis
Dominick
Downing
Drake
Edgington
Edwards (Escambia)
Edwards (Lowndes)
Engel
Etheredge

Fields
Gilmore
Glass
Hawkins
Hester
Hogan
Holladay
Jones (Covington)
Locke
McDermott
Mashburn
Meeks
Moore
Morrow
Owens

Paulk
Pennington
Perry
Powell
Rast
Reynolds
Rogers
Scurlock
Sessions
Smith
Snell
Teel
Tuck
Turnham
Vacca

—60

And the bill:

H. 65. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Fields	Pennington
Avery	Cates	Gilmore	Perry
Bailes	Collins	Glass	Powell
Baker (DeKalb)	Cook	Hawkins	Rast
Baker (Madison)	Cooper	Hester	Reynolds
Barnett	Crawford	Hogan	Rogers
Bassett	Daniel	Holladay	Scurlock
Bethea (B)	Davis	Jones (Covington)	Sessions
Bethea (M)	Dominick	Locke	Smith
Bevill	Downing	McDermott	Snell
Blanton	Drake	Mashburn	Teel
Bolton	Edington	Meeks	Tuck
Boston	Edwards (Escambia)	Moore	Turner (Limestone)
Bowers	Edwards (Lowndes)	Morrow	Turnham
Brown (Jefferson)	Engel	Owens	Vacca
Brown (Tuscaloosa)	Etheredge	Paulk	

—63

And the bill:

H. 66. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Fields	Pennington
Avery	Collins	Gilmore	Perry
Bailes	Cook	Glass	Powell
Baker (DeKalb)	Cooper	Hawkins	Rast
Baker (Madison)	Crawford	Hester	Reynolds
Barnett	Daniel	Hogan	Rogers
Bassett	Davis	Holladay	Scurlock
Bethea (B)	Dominick	Jones (Covington)	Sessions
Bethea (M)	Downing	Locke	Smith
Bevill	Drake	McDermott	Snell
Blanton	Edington	Mashburn	Teel
Bolton	Edwards (Escambia)	Moore	Tuck
Boston	Edwards (Lowndes)	Morrow	Turner (Limestone)
Bowers	Engel	Owens	Turnham
Brown (Jefferson)	Etheredge	Paulk	Vacca
Brown (Tuscaloosa)			

—61

And the bill:

H. 67. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Collins	Gilmore	Pennington
Avery	Cook	Glass	Perry
Baker (DeKalb)	Cooper	Hawkins	Powell
Baker (Madison)	Crawford	Hester	Rast
Barnett	Daniel	Hogan	Reynolds
Bassett	Davis	Holladay	Rogers
Bethea (B)	Dominick	Jones (Covington)	Scurlock
Bethea (M)	Downing	Locke	Sessions
Bevill	Drake	McDermott	Smith
Bolton	Edgington	Mashburn	Snell
Boston	Edwards (Escambia)	Meeks	Teel
Bowers	Edwards (Lowndes)	Moore	Tuck
Brown (Jefferson)	Engel	Morrow	Turner (Limestone)
Brown (Tuscaloosa)	Etheredge	Owens	Turnham
Cantrell	Fields	Paulk	Vacca

—60

And the bill:

H. 68. TO AMEND ACT NO. 502 OF THE LEGISLATURE OF ALABAMA OF 1923, APPROVED SEPTEMBER 29, 1923, (GENERAL ACTS OF ALABAMA OF 1923, PAGE 663, ET SEQ.), AS RE-ENACTED BY ACT NO. 283 OF THE LEGISLATURE OF ALABAMA OF 1943, APPROVED JUNE 28, 1943, (GENERAL ACTS OF ALABAMA OF 1943, PAGE 241 ET SEQ.), AS HERETOFORE AMENDED.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Gilmore	Pennington
Avery	Collins	Glass	Perry
Bailes	Cook	Heflin	Powell
Baker (DeKalb)	Cooper	Hester	Rast
Baker (Madison)	Crawford	Hogan	Reynolds
Barnett	Daniel	Holladay	Rogers
Bassett	Davis	Jones (Covington)	Scurlock
Bethea (B)	Downing	Locke	Sessions
Bevill	Drake	McDermott	Smith
Blanton	Edgington	Mashburn	Snell
Bolton	Edwards (Escambia)	Meeks	Teel
Boston	Edwards (Lowndes)	Moore	Tuck
Bowers	Engel	Morrow	Turner (Limestone)
Brown (Jefferson)	Etheredge	Owens	Turnham
Brown (Tuscaloosa)	Fields	Paulk	Vacca

—60

And the bill:

H. 69. TO AMEND ACT NO. 929 OF THE LEGISLATURE OF ALABAMA OF 1951, APPROVED SEPTEMBER 12, 1951, ACTS OF ALABAMA 1951, PAGE 1579, ET SEQ., AS HERETOFORE AMENDED.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Gilmore	Pennington
Avery	Collins	Glass	Perry
Bailes	Cook	Heflin	Powell
Baker (DeKalb)	Cooper	Hester	Rast
Baker (Madison)	Crawford	Hogan	Reynolds
Barnett	Daniel	Holladay	Rogers
Bassett	Davis	Jones (Covington)	Scurlock
Bethea (B)	Downing	Locke	Sessions
Bevill	Drake	McDermott	Smith
Blanton	Edgington	Mashburn	Snell
Bolton	Edwards (Escambia)	Meeks	Teel
Boston	Edwards (Lowndes)	Moore	Tuck
Bowers	Engel	Morrow	Turner (Limestone)
Brown (Jefferson)	Etheredge	Owens	Turnham
Brown (Tuscaloosa)	Fields	Paulk	Vacca

—60

And the bill:

H. 70. TO AMEND ACT NO. 556, OF THE LEGISLATURE OF ALABAMA OF 1959, APPROVED NOVEMBER 19, 1959, ACTS OF ALABAMA OF 1959, PAGE 1376 ET SEQ.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Collins	Gilmore	Pennington
Avery	Cook	Glass	Perry
Bailes	Cooper	Hawkins	Powell
Baker (DeKalb)	Crawford	Heflin	Rast
Baker (Madison)	Daniel	Hester	Reynolds
Barnett	Davis	Hogan	Rogers
Bassett	Dominick	Holladay	Scurlock
Bevill	Downing	Jones (Covington)	Sessions
Blanton	Drake	Locke	Smith
Bolton	Edgington	McDermott	Snell
Boston	Edwards (Escambia)	Mashburn	Teel
Bowers	Edwards (Lowndes)	Meeks	Tuck
Brown (Jefferson)	Engel	Morrow	Turner (Limestone)
Brown (Tuscaloosa)	Etheredge	Owens	Turnham
Cantrell	Fields	Paulk	Vacca

—60

And the bill:

H. 71. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Pennington
Avery	Collins	Hawkins	Perry
Bailes	Cook	Heflin	Powell
Baker (DeKalb)	Cooper	Hester	Rast
Baker (Madison)	Crawford	Hogan	Reynolds
Barnett	Daniel	Holladay	Rogers
Bassett	Davis	Jones (Covington)	Scurlock
Bethea (B)	Downing	Locke	Sessions
Bethea (M)	Drake	McDermott	Smith
Bevill	Edgington	Mashburn	Snell
Blanton	Edwards (Escambia)	Meeks	Teel
Bolton	Edwards (Lowndes)	Moore	Tuck
Boston	Engel	Morrow	Turner (Limestone)
Bowers	Etheredge	Owens	Turnham
Brown (Jefferson)	Fields	Paulk	Vacca
Cantrell			

—61

H. 72 POSTPONED

On motion of Mr. Rast, consideration of the bill, H. 72, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 73. TO APPLY IN AND ONLY IN EACH CITY IN THIS STATE HAVING A POPULATION OF 300,000 OR MORE, ACCORDING TO THE LAST OR ANY SUBSEQUENT DECENNIAL FEDERAL CENSUS; TO PROVIDE FOR THE CREATION OF THE OFFICE OF CITY MAGISTRATE AND THE APPOINTMENT OF CITY MAGISTRATES; TO DEFINE THE QUALIFICATIONS, POWERS AND DUTIES OF CITY MAGISTRATES; AND TO PROVIDE FOR SEARCH WARRANTS AND WARRANTS OF ARREST.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Perry
Avery	Collins	Heflin	Powell
Bailes	Cooper	Hester	Rast
Baker (DeKalb)	Crawford	Hogan	Reynolds
Baker (Madison)	Daniel	Holladay	Rogers
Barnett	Davis	Jones (Covington)	Scurlock
Bassett	Downing	Locke	Sessions
Bethea (M)	Drake	McDermott	Smith
Bevill	Edgington	Mashburn	Snell
Blanton	Edwards (Escambia)	Meeks	Teel
Bolton	Edwards (Lowndes)	Moore	Tuck
Boston	Engel	Morrow	Turner (Limestone)
Bowers	Etheredge	Owens	Turnham
Brown (Jefferson)	Fields	Paulk	Vacca
Cantrell	Gilmore	Pennington	

—59

And the bill:

H. 74. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Paulk
Avery	Collins	Hawkins	Pennington
Bailes	Cooper	Heflin	Perry
Baker (DeKalb)	Crawford	Hester	Powell
Baker (Madison)	Daniel	Hogan	Rast
Barnett	Davis	Holladay	Reynolds
Bassett	Dominick	Ingram	Rogers
Bevill	Downing	Jones (Covington)	Scurlock
Blanton	Drake	Locke	Sessions
Bolton	Edgington	McDermott	Smith
Boston	Edwards (Escambia)	Mashburn	Snell
Bowers	Edwards (Lowndes)	Meade	Teel
Brown (Jefferson)	Engel	Meeks	Tuck
Brown (Tuscaloosa)	Etheredge	Moore	Turner (Limestone)
Cantrell	Fields	Morrow	Turnham
Casey	Gilmore	Owens	Vacca

—64

And the bill:

H. 75. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Barnett	Bolton	Cantrell
Avery	Bassett	Boston	Cates
Bailes	Bethea (M)	Bowers	Collins
Baker (DeKalb)	Bevill	Brown (Jefferson)	Cooper
Baker (Madison)	Blanton	Brown (Tuscaloosa)	Crawford

Daniel	Glass	Meeks	Rogers
Davis	Hawkins	Moore	Scurlock
Dominick	Heflin	Morrow	Sessions
Drake	Hester	Owens	Smith
Edington	Hogan	Paulk	Snell
Edwards (Escambia)	Holladay	Pennington	Teel
Edwards (Lowndes)	Jones (Covington)	Perry	Tuck
Engel	Locke	Powell	Turner (Limestone)
Etheredge	McDermott	Rast	Turnham
Fields	Mashburn	Reynolds	Vacca
Gilmore			

—61

And the bill:

H. 76. TO PROVIDE THAT THE GOVERNING BODY OF ANY CITY IN THE STATE HAVING A POPULATION OF 300,000 INHABITANTS SHALL HAVE THE POWER AND AUTHORITY BY ORDINANCE TO GRANT MEMBERS OF SUCH GOVERNING BODY MONEY FOR EXPENSES NOT EXCEEDING \$11,000 PER YEAR FOR ANY FISCAL YEAR OF SUCH CITY.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Casey	Glass	Perry
Avery	Cates	Heflin	Powell
Bailes	Collins	Hester	Rast
Baker (Madison)	Cooper	Hogan	Reynolds
Barnett	Crawford	Holladay	Rogers
Bassett	Daniel	Jones (Covington)	Scurlock
Bethea (M)	Downing	Locke	Sessions
Revill	Drake	McDermott	Smith
Blanton	Edington	Mashburn	Snell
Bolton	Edwards (Escambia)	Meeks	Teel
Boston	Edwards (Lowndes)	Moore	Tuck
Bowers	Engel	Morrow	Turner (Limestone)
Brown (Jefferson)	Etheredge	Owens	Turnham
Brown (Tuscaloosa)	Fields	Paulk	Vacca
Cantrell	Gilmore	Pennington	

—59

And the bill:

H. 77. To authorize the County Board of Education of any county having a population of 500,000 or more according to the last or any succeeding federal decennial census to name school buildings in honor of living persons.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Bethea (M)	Cates	Edington
Avery	Bevill	Collins	Edwards (Escambia)
Bailes	Blanton	Cooper	Edwards (Lowndes)
Baker (DeKalb)	Bolton	Crawford	Engel
Baker (Madison)	Boston	Daniel	Etheredge
Barnett	Bowers	Davis	Fields
Bassett	Brown (Jefferson)	Downing	Gilmore
Bethea (B)	Cantrell	Drake	Glass

Hester	Moore	Rast	Snell
Holladay	Morrow	Reynolds	Teel
Ingram	Owens	Rogers	Tuck
Jones (Covington)	Paulk	Scurlock	Turner (Limestone)
Locke	Pennington	Sessions	Turnham
McDermott	Perry	Smith	Vacca
Mashburn	Powell		

—58

H. 93 POSTPONED

On motion of Mr. Locke, consideration of the bill, H. 93, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Cates	Hogan	Rast
Avery	Collins	Holladay	Reynolds
Bailes	Cooper	Ingram	Rogers
Baker (DeKalb)	Crawford	Jones (Covington)	Scurlock
Baker (Madison)	Daniel	Locke	Sessions
Bassett	Downing	McDermott	Slate
Bevill	Drake	Mashburn	Smith
Bolton	Edington	Meeks	Snell
Boston	Edwards (Escambia)	Moore	Teel
Branyon	Edwards (Lowndes)	Morrow	Tuck
Brown (Jefferson)	Engel	Owens	Turner (Limestone)
Brown (Tuscaloosa)	Fields	Paulk	Turnham
Cantrell	Gilmore	Powell	Vacca
Casey	Glass		

—54

And the bill:

H. 117. To regulate further the office of sheriff in counties having populations of more than 300,000 and less than 500,000, according to the last or any subsequent federal decennial census; to exempt sheriffs of such counties from liability for the acts of their deputies, except in certain cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Pennington
Avery	Collins	Grouby	Powell
Bailes	Cook	Heflin	Rast
Baker (DeKalb)	Cooper	Hogan	Reynolds
Baker (Madison)	Crawford	Holladay	Rogers
Barnett	Daniel	Ingram	Scurlock
Bassett	Dominick	Jones (Covington)	Sessions
Bethea (M)	Downing	Locke	Slate
Bevill	Drake	McDermott	Smith
Blanton	Edington	Mashburn	Snell
Bolton	Edwards (Escambia)	Meeks	Steagall
Boston	Edwards (Lowndes)	Moore	Teel
Branyon	Engel	Morrow	Tuck
Brown (Jefferson)	Etheredge	Owens	Turnham
Cantrell	Fields	Paulk	Vacca
Casey	Gilmore		

—62

And the bill:

H. 119. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Ycas 60; Nays 0.

Ycas:

Mr. Speaker	Casey	Fields	Owens
Avery	Cates	Gilmore	Paulk
Bailes	Collins	Glass	Pennington
Baker (DeKalb)	Cook	Grouby	Powell
Baker (Madison)	Cooper	Heflin	Reynolds
Barnett	Crawford	Hogan	Rogers
Bassett	Daniel	Holladay	Scurlock
Bethea (M)	Dominick	Ingram	Slate
Bevill	Downing	Jones (Covington)	Smith
Blanton	Drake	Locke	Snell
Bolton	Edington	McDermott	Steagall
Boston	Edwards (Escambia)	Mashburn	Teel
Branyon	Edwards (Lowndes)	Meeks	Tuck
Brown (Jefferson)	Engel	Moore	Turnham
Cantrell	Etheredge	Morrow	Vacca

—60

And the bill:

H. 120. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Casey	Gilmore	Paulk
Avery	Cates	Glass	Pennington
Bailes	Collins	Grouby	Powell
Baker (DeKalb)	Cook	Heflin	Rast
Baker (Madison)	Cooper	Hogan	Reynolds
Barnett	Crawford	Holladay	Rogers
Bassett	Daniel	Ingram	Scurlock
Bethea (M)	Dominick	Jones (Covington)	Slate
Bevill	Downing	Locke	Smith
Blanton	Drake	McDermott	Snell
Bolton	Edington	Mashburn	Steagall
Boston	Edwards (Escambia)	Meeks	Teel
Branyon	Edwards (Lowndes)	Moore	Tuck
Brown (Jefferson)	Engel	Morrow	Turnham
Cantrell	Etheredge	Owens	Vacca

—60

And the bill:

H. 122. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Pennington
Avery	Collins	Grouby	Powell
Bailes	Cook	Heflin	Rast
Baker (DeKalb)	Cooper	Hogan	Reynolds
Baker (Madison)	Crawford	Holladay	Rogers
Barnett	Daniel	Ingram	Scurlock
Bassett	Dominick	Jones (Covington)	Sessions
Bethea (M)	Downing	Locke	Slate
Bevill	Drake	McDermott	Smith
Blanton	Edington	Mashburn	Snell
Bolton	Edwards (Escambia)	Meeks	Steagall
Boston	Edwards (Lowndes)	Moore	Teel
Branyon	Engel	Morrow	Tuck
Brown (Jefferson)	Fields	Owens	Turnham
Cantrell	Gilmore	Paulk	Vacca
Casey			

—61

H. 123 POSTPONED

On motion of Mr. Engel, consideration of the bill, H. 123, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Pennington
Bailes	Collins	Grouby	Powell
Baker (DeKalb)	Cook	Heflin	Rast
Baker (Madison)	Cooper	Hogan	Reynolds
Barnett	Crawford	Holladay	Rogers
Bassett	Daniel	Ingram	Scurlock
Bethea (M)	Dominick	Jones (Covington)	Sessions
Bevill	Downing	Locke	Slate
Blanton	Drake	McDermott	Smith
Bolton	Edington	Mashburn	Snell
Boston	Edwards (Escambia)	Meeks	Steagall
Branyon	Edwards (Lowndes)	Moore	Teel
Brown (Jefferson)	Engel	Morrow	Tuck
Cantrell	Fields	Owens	Turnham
Casey	Gilmore	Paulk	

—59

And the bill:

H. 125. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of members of the courts of county commissioners, county commissions, or like county governing bodies of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Casey	Gilmore	Paulk
Avery	Cates	Glass	Pennington
Bailes	Collins	Grouby	Rast
Baker (DeKalb)	Cook	Heflin	Reynolds
Baker (Madison)	Cooper	Hogan	Rogers
Barnett	Crawford	Holladay	Scurlock
Bassett	Daniel	Ingram	Sessions
Bethea (M)	Dominick	Jones (Covington)	Slate
Bevill	Downing	Locke	Smith
Blanton	Drake	McDermott	Snell
Bolton	Edington	Mashburn	Steagall
Boston	Edwards (Escambia)	Meeks	Teel
Branyon	Edwards (Lowndes)	Moore	Tuck
Brown (Jefferson)	Engel	Morrow	Turnham
Cantrell	Fields	Owens	Vacca

—60

And the bill:

H. 126. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent Federal census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Casey	Fields	Paulk
Avery	Cates	Gilmore	Pennington
Bailes	Collins	Glass	Powell
Baker (DeKalb)	Cook	Heflin	Rast
Baker (Madison)	Cooper	Hogan	Rogers
Barnett	Crawford	Holladay	Scurlock
Bassett	Daniel	Ingram	Sessions
Bethea (M)	Davis	Jones (Covington)	Slate
Bevill	Dominick	Locke	Smith
Blanton	Downing	McDermott	Snell
Bolton	Drake	Mashburn	Steagall
Boston	Edington	Meeks	Teel
Branyon	Edwards (Escambia)	Moore	Tuck
Brown (Jefferson)	Edwards (Lowndes)	Morrow	Turnham
Cantrell	Engel	Owens	Vacca

—60

And the bill:

H. 127. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act #315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Casey	Gilmore	Pennington
Avery	Collins	Glass	Powell
Bailes	Cook	Heflin	Reynolds
Baker (DeKalb)	Cooper	Hogan	Rogers
Baker (Madison)	Crawford	Holladay	Scurlock
Barnett	Daniel	Ingram	Sessions
Bassett	Davis	Jones (Covington)	Slate
Bethea (M)	Dominick	Locke	Smith
Bevill	Downing	McDermott	Snell
Blanton	Drake	Mashburn	Steagall
Bolton	Edington	Meeks	Teel
Boston	Edwards (Escambia)	Moore	Tuck
Branyon	Edwards (Lowndes)	Morrow	Turnham
Brown (Jefferson)	Engel	Owens	Vacca
Cantrell	Fields	Paulk	

—59

And the bill:

H. 128. To amend Section 2, Act No. 218, H. B. 404, Regular Session 1963, an act relating to counties having populations of not less than 300,000 nor more than 500,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Casey	Gilmore	Pennington
Avery	Cates	Glass	Powell
Bailes	Collins	Grouby	Rast
Baker (DeKalb)	Cook	Hogan	Reynolds
Baker (Madison)	Cooper	Holladay	Rogers
Barnett	Crawford	Ingram	Scurlock
Bassett	Daniel	Jones (Covington)	Slate
Bethea (M)	Dominick	Locke	Smith
Bevill	Downing	McDermott	Snell
Blanton	Drake	Mashburn	Steagall
Bolton	Edington	Meeks	Teel
Boston	Edwards (Escambia)	Moore	Tuck
Branyon	Edwards (Lowndes)	Morrow	Turnham
Brown (Jefferson)	Engel	Owens	Vacca
Cantrell	Fields	Paulk	

—59

And the bill:

H. 129. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act N. 345, S. 291, 1955 Acts Vol. II, p. 783).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Collins	Glass	Pennington
Avery	Cook	Grouby	Powell
Bailes	Cooper	Heflin	Rast
Baker (DeKalb)	Crawford	Hogan	Reynolds
Baker (Madison)	Daniel	Holladay	Rogers
Barnett	Davis	Ingram	Scurlock
Bassett	Dominick	Jones (Covington)	Sessions
Bethea (M)	Downing	Locke	Slate
Bevill	Drake	McDermott	Smith
Blanton	Edington	Mashburn	Snell
Bolton	Edwards (Escambia)	Meeks	Steagall
Branyon	Edwards (Lowndes)	Moore	Teel
Brown (Jefferson)	Engel	Morrow	Tuck
Cantrell	Fields	Owens	Turnham
Casey	Gilmore	Paulk	Vacca
Cates			

—61

And the bill:

H. 130. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama, 1955, (Vol. I, p. 515), approved August 3, 1955, entitled "An Act to provide further for the compensation of the Circuit Solicitor in

circuits composed of one County and having not less than four nor more than nine Circuit Judges," as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. I, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Pennington
Avery	Collins	Grouby	Powell
Bailes	Cook	Heflin	Rast
Baker (DeKalb)	Cooper	Hogan	Reynolds
Baker (Madison)	Crawford	Holladay	Rogers
Barnett	Daniel	Ingram	Scurlock
Bassett	Dominick	Jones (Covington)	Sessions
Bethea (M)	Downing	Locke	Slate
Bevill	Drake	McDermott	Smith
Blanton	Edington	Mashburn	Snell
Bolton	Edwards (Escambia)	Meeks	Steagall
Boston	Edwards (Lowndes)	Moore	Teel
Branyon	Engel	Morrow	Tuck
Brown (Jefferson)	Fields	Owens	Turnham
Cantrell	Gilmore	Paulk	Vacca

—60

And the bill:

H. 131. To amend Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an Act relating to the office of License Commissioner in counties having populations of not less than 300,000 or more than 500,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cates	Gilmore	Pennington
Avery	Collins	Glass	Powell
Bailes	Cook	Grouby	Rast
Baker (DeKalb)	Cooper	Heflin	Reynolds
Baker (Madison)	Crawford	Hogan	Rogers
Barnett	Daniel	Holladay	Scurlock
Bassett	Davis	Jones (Covington)	Sessions
Bethea (M)	Dominick	Locke	Slate
Bevill	Downing	McDermott	Smith
Blanton	Drake	Mashburn	Snell
Bolton	Edington	Meeks	Steagall
Boston	Edwards (Escambia)	Moore	Teel
Branyon	Edwards (Lowndes)	Morrow	Tuck
Brown (Jefferson)	Engel	Owens	Turnham
Cantrell	Fields	Paulk	Vacca
Casey			

—61

And the bill:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Fields	Pennington
Avery	Casey	Gilmore	Powell
Bailes	Cates	Glass	Rast
Baker (DeKalb)	Collins	Grouby	Reynolds
Baker (Madison)	Cook	Holladay	Rogers
Barnett	Cooper	Jones (Covington)	Scurlock
Bassett	Crawford	Locke	Sessions
Bethea (M)	Daniel	McDermott	Slate
Bevill	Dominick	Mashburn	Snell
Blanton	Downing	Meeks	Steagall
Bolton	Drake	Moore	Teel
Boston	Edington	Morrow	Tuck
Branyon	Edwards (Escambia)	Owens	Turnham
Brown (Jefferson)	Edwards (Lowndes)	Paulk	Vacca
Burns	Engel		

—58

H. 139 POSTPONED

On motion of Mr. Engel, consideration of the bill, H. 139, was postponed until the next legislative day.

POINT OF PERSONAL PRIVILEGE

Mr. Bethea (M) requested as a matter of personal privilege that the Journal show that he voted "yea" on the passage of the bill, H. 114, as amended, in order to make a motion to reconsider the bill H. 114.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Mashburn:

H. J. R. 24. WHEREAS the Bay Minette Key Club for the second successive year has been voted the most outstanding club in the entire organization which consists of more than 2,600 clubs throughout the nation; and

WHEREAS Key Clubs, sponsored by Kiwanis International, are devoted to directing the interests and efforts of young school-age men in worthwhile activities and purposeful pursuits, as well as in wholesome recreation; and

WHEREAS Mr. John H. White, affectionately called "Judge", has been the leading figure in the organization and progress of the Bay Minette Key Club to which he has contributed so much time, effort, and patient understanding; and

WHEREAS the outstanding success of the Bay Minette Key Club is the result of the fine spirit of cooperation that exists among the individual members, with the wholehearted assistance and encouragement of the faculty and community leaders, and particularly of "Judge" White, Key Club advisor; Mr. C. B. Daniel, principal of the Baldwin County High School; Mr. John Earle Chason of the Kiwanis Key Club Committee; Coach Joe Berry, faculty advisor; Kim Johnson, 1963 Club president; and Jack Robertson, Jr., 1964 club president; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we heartily commend the Bay Minette Key Club for its successful achievement in having been chosen the outstanding club in the entire Key Club organization and wish to extend our congratulations and appreciation especially to Mr. White, Mr. Daniel, Mr. Chason, Mr. Berry, and to Kim Johnson, and Jack Robertson, Jr.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the above named persons and to the Baldwin Times, the Foley Onlooker and the Fairhope Courier.

On motion of Mr. Mashburn the rules were suspended and H. J. R. 24 was adopted.

Also:

By Mr. Powell:

H. J. R. 25. WHEREAS Alabama Code 1958, Title 36, Section 58(3) authorizes the Director of Public Safety and the Highway Director to vary speed limits for motor vehicles on public highways, and in pursuance of such authority all interstate highways have been posted at 70 miles an hour by day and 60 miles an hour by night; and

WHEREAS there are other 4-lane highways not in the interstate system which are so constructed and engineered as to permit safe driving thereon at similar speeds; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body approves of a maximum daytime speed limit of 70 miles an hour on all 4-lane highways, with a nighttime maximum of 60 miles per hour; and the Director of Public Safety and the Highway Director are urged to cause such highways to be so posted and marked.

On motion of Mr. Powell the rules were suspended and H. J. R. 25 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 3. Congratulating Lieutenant Governor Allen on his approaching marriage.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 5. Relative to memorializing Congress to propose an amendment to the Constitution of the United States relative to apportionment of state legislatures.

Also:

H. J. R. 6. Relative to appointing an interim committee to study legislative apportionment.

Also:

H. J. R. 7. Relative to commending Governor George Wallace for his actions as conservator of constitutional government.

Also:

H. J. R. 8. Relative to inviting Miss Katy Sue Meredith, National Maid of Cotton, to address the Legislature.

Also:

H. J. R. 9. Relative to expressing regret upon the death of the Honorable Stephen Reese White, former member of the House of Representatives.

Also:

H. J. R. 10. Relative to commemorating the naval engagement of the Battle of Mobile Bay.

Also:

H. J. R. 11. Relative to naming and designating the proposed vehicular tunnel under the Mobile River, The George C. Wallace Tunnel.

Also:

H. J. R. 12. Relative to approving any congressional action which would stay federal judicial interference on reapportionment questions.

Also:

H. J. R. 13. Relative to endorsing and commending Governor George Wallace for his leadership and aggressive campaigns out of the State of Alabama.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 15. Authorizing certain officers and members of the two Houses to participate in the National Conference of State Legislative Leaders.

Also:

H. J. R. 16. Inviting Governor Carl Sanders of Georgia to address a Joint Session of the Legislature at a time convenient to him.

Also:

H. J. R. 17. Expressing pleasure at encouraging news of the recovery of Mrs. Edna Harris, secretary to the Speaker of the House.

Also:

H. J. R. 22. Mourning the death of former Representative Gilbert Eugene Davis, Sr. and expressing sympathy to his family.

McDOWELL LEE,
Secretary.

BILLS ON SECOND READING

Mr. Burns, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

Mr. Salter, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 181. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 13. To provide for supplemental compensation of the Circuit Judges of all Judicial Circuits in this State composed of three (3) counties, with two (2) Circuit Judges, and having a total population of not less than 90,000 or more than 130,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such supplemental compensation out of the General Funds of the counties composing such Judicial Circuits.

H. 18. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

H. 29. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the Town of Rainbow City, Etowah County, Alabama.

H. 30. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

H. 31. An Act providing further for the operation of the justices of peace and notaries ex officio justice of the peace of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; allowing justices of peace and notaries ex officio justice of peace jurisdiction in garnishment or attachment proceedings in any civil case.

H. 35. Relating to counties having a population of not less than 21,988 nor more than 22,000; and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such a salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

H. 163. To apply in counties having populations of not less than 14,400 nor more than 14,900, providing expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body.

H. 164. Relating to counties having populations of not less than 14,400 nor more than 14,900; fixing the compensation of the coroner.

H. 165. To apply in counties having populations of not less than 14,500 nor more than 14,900; regulating the compensation of the county superintendent of education.

H. 166. To apply in counties having populations of not less than 14,500 nor more than 14,900: To provide for filling vacancies in county offices.

H. 167. Relating to counties having populations of not less than 14,400 nor more than 14,900, according to the last or any subsequent federal decennial census; providing further for the supervision, administration and control of the public schools; providing for the election and compensation of members of the board of education; and prescribing the duties of members of the board of education.

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

H. 184. Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue.

H. 188. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 130,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any

such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit, but shall be payable from the benefits secured for, or on behalf of the persons for whose benefit any such suit was successfully prosecuted; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

H. 190. Relating to the Municipality of Hartselle, in Morgan County, Alabama: to alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

H. 191. Regulating further the office of circuit solicitor of the eighth judicial circuit of Alabama; amending Section 2 of Act No. 312, S. 215, Regular Session 1955 (Acts 1955, p. 710), relating to the solicitor's fund.

H. 194. To apply only in counties of the state having populations of not less than 100,000 nor more than 115,000; to further regulate the taking of fish from public streams and impounded waters.

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

H. 196. Relating to counties having a population of not less than 100,000 and not more than 115,000 inhabitants according to the latest or any succeeding Federal decennial census and providing for and further regulating the operation of child care in institutions in such counties.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 178. To propose an Amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and

trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

The above bill was read a second time at length as required by the Constitution.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones (Covington):

H. 198. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Covington County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Goodwyn, Pierce, Goldthwaite, and Little:

H. 199. To provide that housing authorities incorporated under the statutes contained in the Code of Alabama 1940 in counties of not less than 150,000 inhabitants and not more than 300,000 inhabitants according to the last United States Census; where the employees of said housing authorities are subject to the provisions of a merit system; that said housing authorities in said counties acting by resolution of their Board of Commissioners are authorized to enter into a contract for the services of a director and assistant director and fix the compensation of same; said director and assistant director shall act as liaison personnel between the cities, the Regional Director and shall negotiate with citizens affected by the overall plan of Urban Redevelopment and such other duties as may be provided in said contract, in order to expedite and implement Title I of the Federal Housing Act of 1949, as amended. Said contract shall be approved by the Regional Director.

Local Legislation No. 1.

By Messrs. Goodwyn, Cook, Edwards (Escambia), Glass, Pierce, Downing, Hogan, Jones (Monroe), Sullivan, Cates, Hannah, Brewer, Moore, Hawkins, Little, Jones (Covington), Turner (Limestone), Camp, Holladay, Hain, Sessions, Grouby, Rogers, Daniel, Nettles, Bassett, Teel, Harper, Powell, Beville, Campbell (Jackson), Turnham and NeSmith:

H. 200. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Ways and Means.

By Mr. Goodwyn:

H. 201. To amend Section 20, Title 34, Code of Alabama 1940.

Judiciary.

By Messrs. Goodwyn, Pierce and Little:

H. 202. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the last preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law, with the exception of those sessions provided by Section 27(1), Title 17, 1940 Code of Alabama; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

Local Legislation No. 1.

By Messrs. Burns, Nabors and Owens:

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

Local Legislation No. 1.

By Messrs. Nabors, Burns and Owens:

H. 204. To amend Code of Alabama 1940, Title 14, Section 81, so as to make it unlawful to post handbills or notices on utility poles.

Judiciary.

By Messrs. Burns, Nabors and Owens:

H. 205. To regulate further the compensation and allowance of the sheriff of counties having a population of not less than 96,000 nor more than 106,000.

Local Legislation No. 1.

By Messrs. Burns, Nabors and Owens:

H. 206. Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Judiciary.

By Messrs. Burns, Nabors and Owens:

H. 207. To amend Act No. 190, H. 389, Regular Session 1961 (Acts 1961, p. 230), an act which regulates the compensation of members and clerks of jury commissions in counties having populations of not less than 96,000 nor more than 106,000.

Local Legislation No. 1.

By Messrs. Burns, Nabors and Owens:

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

Local Legislation No. 1.

By Messrs. Burns, Nabors and Owens:

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

Local Legislation No. 1.

By Mr. Blanton:

H. 210. To amend Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to authorize any relative of a child to appoint by his last will and testament the mother or father as guardian; and giving the amendment retroactive effect.

Judiciary.

By Mr. Cooper:

H. 211. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

By Messrs. Fields, Hogan, Rogers, Downing, McDermott and Edington:

H. 212. Relating to elections, providing for certain persons in the national guard and other reserve component of the armed forces to vote absentee ballots.

Constitution and Elections.

By Mr. Paulk:

H. 213. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

By Messrs. Callahan and Brown (Tuscaloosa):

H. 214. Relating to counties having a population of not less than 100,000 nor more than 115,000 according to the latest or any succeeding Federal census and amending Title 49, Section 64 of the Code of Alabama of 1940 as the same applies to such counties.

Local Legislation No. 1.

By Mr. Dominick:

H. 215. To amend Sections 1.01 and 3.01 of Act. No. 452, H. 974, Regular Session 1955 (Acts 1955, p. 1004), relating to the establishment of a mayor-council form of municipal government in cities having populations of more than 200,000.

Local Legislation No. 2.

By Mr. Dominick:

H. 216. To amend Sections 1.01, 3.02 and 4.02 of Act No. 452, H. 974, Regular Session 1955 (Acts 1955, p. 1004), relating to the establishment of a mayor-council form of municipal government in cities having populations of more than 200,000.

Local Legislation No. 2.

By Mr. Dominick:

H. 217. To amend Sections 1.01, 3.09 and 4.05 of Act No. 452, H. 974, Regular Session 1955 (Acts 1955, p. 1004), relating to the establishment of a mayor-council form of municipal government in cities having populations of more than 200,000.

Local Legislation No. 2.

By Mr. Rast:

H. 218. To levy and provide for the collection of a license tax on vending machines selling peanuts, food products and other merchandise at the price of one cent, in lieu of the license tax imposed by Title 51, Section 613, as amended.

Ways and Means.

By Messrs. Etheredge, Collins, Bailes, Perry, Vacca, Bowers, Sessions, Locke, Brown (Jefferson), Gilmore, Dominick, Meeks, Morrow, Hawkins and Rast:

H. 219. To provide additional judges for the tenth judicial circuit of Alabama.

Judiciary.

By Messrs. Brown (Jefferson), Gilmore, Rast, Bailes, Meeks, Bethea (M), Vacca, Bowers, Etheredge and Dominick (with notice and proof):

H. 220. TO ALTER, REARRANGE, AND EXTEND THE BOUNDARIES OF THE CITY OF BESSEMER IN JEFFERSON COUNTY, PROVIDING FOR A REFERENDUM ELECTION TO DETERMINE WHETHER THE ACT WILL BECOME EFFECTIVE.

Local Legislation No. 2.

Notice and Proof H. 220:

LEGAL NOTICE OF THE INTENTION TO APPLY FOR
THE PASSAGE OF
AN ACT

Notice is hereby given of the intention to apply to the Legislature of the State of Alabama at its next session, regular or special, for the passage of a law to alter, rearrange and extend the boundaries of the City of Bessemer to include, in addition to the territory presently in the limits of the City, territory located within the communities of Raimund, Hopewell, Hilltop, Greenwood, and Morgan, and also located within Sections 21, 22, 26, 27, 28, 33, 35, and 36, of Township 19 South, Range 4 West, and parts of Sections 1, 2, and 3 of Township 20 South, Range 4 West; to provide for the Judge of Probate calling an election determining whether or not the qualified voters residing in the territory to be annexed favor the annexation; to establish poll lists of qualified electors; to cause voting machines and ballots to be prepared and available for said election; to provide election officials to handle said election and certify the results to the Secretary of State and to the Governing Body of the City of Bessemer and other interested officials

of Jefferson County; to provide for the publication setting the date of the election; to provide that said Act shall only become effective in the event a majority of the qualified voters entitled to vote and voting in said election vote for the annexation of the territory so annexed; and to provide further the date the annexed area becomes a part of the City of Bessemer.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Oct 25-Nov 1-8-15 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 3 day of Aug., 1964.

W. E. MILLER,
Notary Public.

By Mr. Mashburn:

H. 221. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

By Mr. Glass:

H. 222. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Local Legislation No. 1.

By Mr. Glass:

H. 223. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body of all counties having populations of not less than 24,525 nor more than 24,675.

Local Legislation No. 1.

By Mr. Cornett:

H. 224. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Local Legislation No. 1.

By Mr. Cantrell:

H. 225. To apply in counties having populations of not less than 46,500 nor more than 48,000, providing clerk-hire allowances for certain county officers.

Local Legislation No. 1.

By Mr. Carr:

H. 226. To provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

Local Legislation No. 1.

By Mr. Cates:

H. 227. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Local Legislation No. 1.

By Mr. Cates:

H. 228. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Local Legislation No. 1.

By Mr. Cates:

H. 229. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Local Legislation No. 1.

By Messrs. Pierce, Goldthwaite and Little:

H. 230. Providing for appointment of members of county boards of equalization in counties having populations of not less than 150,000 nor more than 300,000; amending further Code of Alabama Title 51, Section 89.

Local Legislation No. 1.

By Messrs. Pierce, Goldthwaite and Little:

H. 231. Providing for the appointment, tenure, compensation, powers and duties of license inspectors in counties having populations of not less than 150,000 nor more than 300,000.

Local Legislation No. 1.

By Messrs. Pierce, Goldthwaite and Little:

H. 232. Relating to the appointment, tenure, and compensation of registrars in counties having populations of not less than 150,000 nor more than 300,000.

Local Legislation No. 1.

By Mr. Drake:

H. 233. To amend Section I by adding subdivision "d" of Act Number 817, H. 298, approved September 8, 1961, an act relating to provision of Circuit Court reporters for the State of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries, (Acts of Alabama, Regular and Special Sessions of 1961, vol. II, pp. 1204-5).

Ways and Means.

By Mr. Drake:

H. 234. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Local Legislation No. 1.

By Mr. Drake:

H. 235. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Local Legislation No. 1.

By Messrs. Turner (Crenshaw), Branyon, Cantrell, Snell and Gilmore:

H. 236. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

Ways and Means.

By Mr. Moore:

H. 237. To further amend Section 26 of Title 46, of the Code of Alabama of 1940.

Business and Labor.

By Mr. Casey:

H. 238. To apply in all counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for branch banking in such counties.

Local Legislation No. 1.

By Mr. Blanton:

H. 239. To amend Code of Alabama 1940, Title 7, Section 464, which relates to procuring testimony to be used in suits pending in any foreign jurisdiction.

Judiciary.

By Mr. Heflin:

H. 240. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of the coroner in such counties, providing for a salary payable by the county in lieu of fees and allowances.

Local Legislation No. 1.

By Mr. Heflin:

H. 241. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of jurors.

Local Legislation No. 1.

By Mr. Heflin:

H. 242. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Local Legislation No. 1.

By Mr. Heflin:

H. 243. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Local Legislation No. 1.

By Messrs. Merrill, Albea, Burnham and Casey:

H. 244. Relating to the Seventh Judicial Circuit; providing for an additional circuit court judge in such circuit.

Judiciary.

By Messrs. Merrill, Albea and Burnham:

H. 245. Relating to counties having populations of not less than 76,000 nor more than 96,000; providing for the appointment of deputies sheriff; and fixing their salaries.

Local Legislation No. 1.

By Messrs. Merrill, Albea and Burnham:

H. 246. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 76,000 nor more than 96,000.

Local Legislation No. 1.

By Messrs. Merrill, Albea and Burnham:

H. 247. To regulate the compensation and allowances of certain county officers of all counties having populations of not less than 76,000 nor more than 96,000.

Local Legislation No. 1.

By Messrs. Merrill, Albea and Burnham:

H. 248. Relating to judicial circuits composed of two counties having two judges; fixing the salaries of the official court reporters of such circuits and providing for the payment thereof.

Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Mathews:

S. 94. To make an additional appropriation for payment of expenses of the Legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 94. Ways and Means

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 19. Mourning the death of Honorable Robert Horton Rutland, Director of technical staff of the State Building Commission and extending sympathy to his family.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 15. Relative to members of the two houses representing the State of Alabama at the National Conference of State Legislative Leaders.

Also:

H. J. R. 16. Relative to inviting Governor Carl Sanders of Georgia to address the joint session of the Legislature of Alabama.

Also:

H. J. R. 17. Relative to expressing great pleasure at the news of the recovery of Mrs. Edna Harris.

Also:

H. J. R. 22. Relative to expressing regret upon the death of former Representative Gilbert Eugene Davis, Sr.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 18. Relative to congratulating Representative Quinton R. Bowers on his outstanding record as Department Commander of the Year, Veterans of Foreign Wars.

McDOWELL LEE,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:55 P.M. On August 12, 1964

H. J. R. 4
H. J. R. 5
H. J. R. 6
H. J. R. 7
H. J. R. 8
H. J. R. 9
H. J. R. 10
H. J. R. 11
H. J. R. 12
H. J. R. 13
H. J. R. 15
H. J. R. 16
H. J. R. 17
H. J. R. 22

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Hester, the House, in accordance with the motion of Mr. Goodwyn heretofore adopted, adjourned until Thursday, August 13, 1964, at ten o'clock, A.M.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 12, 1964

The House did not meet today.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 13, 1964

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. C. H. Hildreth, Pastor, Capitol Heights Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hankins	Paulk
Albea	Collins	Hannan	Pennington
Avery	Cook	Harper	Perry
Bailes	Cooper	Hawkins	Pierce
Baker (DeKalb)	Cornett	Heflin	Posey
Barnett	Crawford	Hester	Powell
Bassett	Daniel	Hogan	Pruitt
Bethea (M)	Doggett	Holladay	Rast
Bevill	Dominick	Ingram	Reynolds
Blanton	Downing	Jones (Covington)	Rogers
Bolton	Drake	Jones (Monroe)	Salter
Boston	Edington	Little	Scurlock
Bowers	Edwards (Escambia)	Locke	Sessions
Branyon	Edwards (Lowndes)	McCorquodale	Smith
Brown (Jefferson)	Engel	McDermott	Snell
Brown (Tuscaloosa)	Etheredge	Mashburn	Steagall
Burnham	Faulk	Meade	Stembridge
Burns	Fields	Meeks	Sullivan
Callahan	Fite	Merrill	Thomas
Camp	Gilmore	Moore	Tuck
Campbell (Jackson)	Glass	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Turner (Limestone)
Cantrell	Goodwyn	NeSmith	Turnham
Carr	Grouby	Nettles	Vacca
Casey	Hain	Owens	

—99

A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Rogers leave of absence was granted to Mr. Wood because of personal illness.

On motion of Mr. Powell leave of absence was granted to Mr. Young because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 219. To provide additional judges for the tenth judicial circuit of Alabama.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 206 (with amendment). Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 204. To amend Code of Alabama 1940, Title 14, Section 81, so as to make it unlawful to post handbills or notices on utility poles.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 201 (with amendment). To amend Section 20, Title 34, Code of Alabama 1940.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 182. To provide for removal of prisoners from one municipal jail to another jail under certain specified conditions.

H. 185. To amend Title 61, Section 301 of the 1940 Code of Alabama, as amended, entitled, "Settlement by Consent Without Notice."

H. 143. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

H. 141. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

H. 89. To make it unlawful to contribute to the delinquency of children; prescribing penalties.

H. 88. To make it unlawful to entice children for immoral purposes or for the purpose of committing assaults; and prescribing penalties for violations of the Act.

H. 86. Prescribing further penalties for certain assaults, and assaults and batteries.

H. 85. To provide further for the custody in prison of sex offenders, requiring their segregation, prescribing penalties.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 10 (with amendment). To provide for conditional release of county prisoners; repealing conflicting laws.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 9. To provide for time of trial or dismissal of charges pending against defendants or charges filed against defendants who are serving sentences in the penitentiary.

H. 8. Relating to the administration of pardons and paroles, amending Title 42, Section 13, Code of Alabama 1940.

REPORT OF STANDING COMMITTEE ON JUDICIARY

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report.

H. 140. To authorize the investment of funds held by clerks of circuit courts or registers in chancery.

The motion of Mr. Merrill to recommit the bill, H. 140, was adopted.

And the Speaker recommitted the bill, H. 140, to the Standing Committee on Judiciary.

BILLS ON SECOND READING RESUMED

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 7. Relating to the administration of pardons and paroles, providing for the waiver of certain notice, further amending Title 42, Section 16, Code of Alabama 1940.

H. 6. Relating to the pardon and parole of persons whose sentence to death has been commuted by the Governor to life imprisonment; repealing Act No. 804, S. 355, Regular Session 1951 (Acts 1951, p. 1401).

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 244. Relating to the Seventh Judicial Circuit; providing for an additional circuit court judge in such circuit.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 198. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Covington County.

The above bill was read a second time at length as required by the Constitution.

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

H. 205. To regulate further the compensation and allowance of the sheriff of counties having a population of not less than 96,000 nor more than 106,000.

H. 207. To amend Act No. 190, H. 389, Regular Session 1961 (Acts 1961, p. 230), an act which regulates the compensation of members and clerks of jury commissions in counties having populations of not less than 96,000 nor more than 106,000.

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

H. 211. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 213. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 214. Relating to counties having a population of not less than 100,000 nor more than 115,000 according to the latest or any succeeding Federal census and amending Title 49, Section 64 of the Code of Alabama of 1940 as the same applies to such counties.

H. 221. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 222. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

H. 224. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

H. 226. To provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

H. 227. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

H. 228. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

H. 229. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

H. 230. Providing for appointment of members of county boards of equalization in counties having populations of not less than 150,000 nor more than 300,000; amending further Code of Alabama Title 51, Section 89.

H. 231. Providing for the appointment, tenure, compensation, powers and duties of license inspectors in counties having populations of not less than 150,000 nor more than 300,000.

H. 232. Relating to the appointment, tenure, and compensation of registrars in counties having populations of not less than 150,000 nor more than 300,000.

H. 234. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

H. 235. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

H. 238. To apply in all counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for branch banking in such counties.

H. 240. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of the coroner in such counties, providing for a salary payable by the county in lieu of fees and allowances.

H. 241. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of jurors.

H. 242. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

H. 243. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

H. 245. Relating to counties having populations of not less than 76,000 nor more than 96,000; providing for the appointment of deputies sheriff; and fixing their salaries.

H. 246. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 76,000 nor more than 96,000.

H. 247. To regulate the compensation and allowances of certain county officers of all counties having populations of not less than 76,000 nor more than 96,000.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 220. To alter, rearrange, and extend the boundaries of the City of Bessemer in Jefferson County, providing for a referendum election to determine whether the act will become effective.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 187. Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 200. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

H. 83. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

H. 236. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

H. 133. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2(b), Act No. 100, Second Special Session 1959.

H. 132. To amend Code of Alabama 1940, Title 29, Section 1, in relation to definitions of terms used in the ABC Act.

H. 193. To make an appropriation to the State Board of Chiropractic Examiners for the fiscal year ending September 30, 1965.

H. 1. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

H. 248. Relating to judicial circuits composed of two counties having two judges; fixing the salaries of the official court reporters of such circuits and providing for the payment thereof.

H. 142. To authorize and require the expenditure of funds in the Public Welfare Trust Fund, created by Title 49, Section 17, Sub-section 27 of the Code of Alabama of 1940, to provide Juvenile Court probationary services in all those counties in which Juvenile Court probationary service is not furnished by the State Department of Pensions and Security and to authorize the matching of funds with local counties employing Juvenile Court Probation Officers.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Edwards (Escambia):

H. 249. To amend Code of Alabama 1940, Title 8, Section 39, which relates to nonresident state fishing licenses.

Conservation.

By Mr. Morrow:

H. 250. To amend Act No. 516, General Laws of Alabama, approved September 9, 1955, entitled "To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality;

to provide for the powers, authority, and duties of such board, to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder, and all documents executed by or delivered to any corporation organized hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used," so as to authorize the acquisition, ownership, leasing and financing by the public corporations therein provided for of hospitals, sanitarium, infirmaries, nursing homes, laboratories, out patient departments and related facilities for the treatment of the sick or injured and diagnosis of their sickness or injury as well as medical clinics and clinical facilities.

Health.

By Mr. Moore:

H. 251. Relating to counties having populations of not less than 22,550 nor more than 24,550, authorizing an appropriation from county funds for certain purposes.

Local Legislation No. 1.

By Messrs. Engel, McDermott, Hogan, Rogers, Fields, Edington and Downing:

H. 252. Relating to counties having populations of not less than 300,000 nor more than 500,000; to authorize the county governing body of any such county to make available to the sheriff an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

Local Legislation No. 3.

By Messrs. Engel, Rogers, Hogan, McDermott, Edington and Fields:

H. 253. To apply in counties having populations of not less than 300,000 nor more than 500,000; providing for assistants and deputies of the sheriff, regulating and providing for payment of their compensation.

Local Legislation No. 3.

By Mr. Bassett (with notice and proof):

H. 254. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Local Legislation No. 1.

Notice and Proof H. 254:

NOTICE

Notice is hereby given that application will be made to the next regular or special session of the Legislature of Alabama for the passage and enactment of a bill substantially as follows, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Troy, in the County of Pike, and State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, namely:

The Southwest quarter, the west half of the Southeast quarter, and the Southeast quarter of the Southeast quarter of Section 19, the Southeast quarter the north half of the Southwest quarter, and the Southeast quarter of the Southwest quarter of Section 21; the Southwest quarter of Section 22; the east half and the east half of the west half of Section 28; the west half of Section 27; the west half of the west half of Section 31; the north half of the northeast quarter and the Northeast quarter of the Northwest quarter of Section 33; the Northwest quarter of Section 34; Township 10 North; Section 6; the west half and the Southwest quarter of the Northeast quarter of Section 3; the north half of Section 7; the north half of Section 8, the north half of Section 9; and the northwest quarter of Section 10; Township 9 North, all in Range 21 East, Pike County, Alabama.

Section 2. That all farm lands annexed by this Act, the improvements thereon and the appurtenances thereunto appertaining, shall be exempt from all ad valorem taxation by the City of Troy during the time such property is used for farming purposes.

Section 3. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 4. That this Act shall become effective upon its passage and approval by the Governor.

STATE OF ALABAMA,
PIKE COUNTY

Before me, Louise Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Bus. Mgr. of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice Passage and enactment of bill—City of Troy was published in said newspaper 4 times, the same appearing in the issues dated: Sept. 12, 19, 26 and October 3, 1963.

M. F. BOISCLAIR,
Bus. Mgr.

Sworn to and subscribed before me this the 12 day of August, 1964.

LOUISE M. EMERSON,
Notary Public, Pike County, Ala.

By Mr. Cates:

H. 255. Relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decen-

nial census; providing a monthly allowance for certain employees in the office of the sheriff.

Local Legislation No. 1.

By Messrs. Camp, Callahan, Campbell (Tuscaloosa), Brown (Tuscaloosa), Beville, Sullivan, Powell, Bolton, Albee, Thomas, Holladay, Turnham, Campbell (Jackson), Blanton, Tuck, Barnett, Jones (Covington), Bailes and Vacca:

H. 256. To make an additional appropriation from the state treasury to the use of Partlow State School and Hospital.

Ways and Means.

By Messrs. Snell, Harper, Powell, Vacca, Fite, Cooper, Turner (Crenshaw) and Jones (Covington):

H. 257. To amend further Chapter 1 of Title 36, Code of Alabama (1940), so as to require drivers of vehicles to yield the right-of-way to other traffic under certain conditions.

Judiciary.

By Messrs. Goodwyn, Goldthwaite, Little and Pierce:

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Hogan, McDermott, Engel, Smith, Downing and Rogers:

H. 259. To amend an Act of the Legislature approved September 8th, 1961, being numbered Act No. 710, to provide for the further amending of Act No. 288, approved July 7, 1945 (General Acts of Alabama, 1945, page 478), entitled "An Act To Provide Judicial Officers of the State; to designate them as Supernumerary Circuit Judges; to provide the conditions under which a Judge of the Circuit Court may become a Supernumerary Circuit Judge; to prescribe the qualifications, tenure of office, duties, powers, authority, compensation, and the method of removal from office of such Supernumerary Circuit Judges, and to appropriate funds for the payment of such compensation."

Ways and Means.

By Messrs. Goodwyn, Goldthwaite, Pierce and Little:

H. 260. To amend Act No. 250 of the regular session of the 1959 Legislature to provide for the administering of oaths and issuing of warrants.

Local Legislation No. 1.

By Messrs. Rast, Perry, Morrow, Locke, Brown (Jefferson), Meeks, Bowers, Gilmore, Vacca, Sessions, Etheredge, Bailes and Collins:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assessment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

Local Legislation No. 2.

By Messrs. Burnham, Merrill and Albea:

H. 262. To provide further for the compensation of the bailiff of any circuit court serving in any county having a population of not less than 76,000 nor more than 96,000.

Local Legislation No. 1.

By Messrs. Burnham, Merrill and Albea:

H. 263. Relating to counties having a population of not less than 76,000 nor more than 96,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Local Legislation No. 1.

By Messrs. Bailes, Collins, Hawkins, Brown (Jefferson), Vacca, Sessions and Meade:

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. J. R. 26. WHEREAS Mr. Leon McCluer, beloved professor at Jacksonville State College, with which institution he was associated for a period of thirty-seven years retired June 1, 1964; and

WHEREAS Professor McCluer who was ever an inspiration to his colleagues and students, gave unselfishly of his time and efforts, and for several summers paid the expenses of one or more students who attended religious leadership camps held at Stony Lake, Michigan; and

WHEREAS Professor McCluer served for several years as the faculty representative of the Y. M. C. A. on campus, for seven years as faculty representative of the Danforth Foundation on campus, and as chairman of the fund raising campaign for a chapel which now adjoins the auditorium; and

WHEREAS Professor McCluer will long be remembered with gratitude and affection by the hundreds of students whose lives were influenced by his teaching and wise counsel, it would be a fitting tribute to name the chapel for this dedicated man; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Board of Education shall have the privilege of naming the chapel at Jackson State College, "McCluer Chapel," if it sees fit.

On motion of Mr. Merrill the rules were suspended and H. J. R. 26 was adopted.

Also:

By Mr. Edwards (Escambia):

H. J. R. 27. WHEREAS Governor George Wallace has long been keenly interested in the promotion of education, has been responsive to

the needs and desires of the people of this state for education, and has been sensitive to the problems that confront efforts to meet the needs of education; and

WHEREAS Governor Wallace early in his legislative career realizing and facing up to the fact that the South had not kept pace with other sections of the nation in industrial development because of the lack of facilities for training youth in handicrafts, industrial arts, and trades, and being aware that training centers for craftsmen, artisans, and skilled mechanics must be located in areas convenient to the promotion of industry, and accessible to persons needing and desiring such training, introduced the Wallace Trade School Act in 1947 which has been primarily responsible for opening new vistas for our youth and bringing new industry to our state; and

WHEREAS Governor Wallace's interest in the junior college program is giving new impetus to higher education the promotion of which he has long espoused; and

WHEREAS Governor Wallace has been diligent in instituting economies and providing funds for the furtherance of all phases of education to the end that the people of Alabama may fully reap the benefits and enjoyments of the highest level of education which they are individually capable of attaining; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we heartily commend Governor Wallace for his efforts in behalf of education and assure him of our whole hearted support in his future efforts.

On motion of Mr. Edwards (Escambia) the rules were suspended and H. J. R. 27 was adopted.

Also:

By Messrs. Barnett, Pierce, Goodwyn, Goldthwaite and Little:

H. J. R. 28. WHEREAS, Miss Shirley Crawford of Marion, Alabama, and John Hamilton Jordan of Montgomery, Alabama, were chosen as National Merit Scholars for the 1964 High School scholastic year, and

WHEREAS, the President's Scholastic Scholarship Board selected and designated these two Alabama students as Presidential Scholars to receive awards from the President, and

WHEREAS, upon invitation of President Johnson, these two outstanding High School graduates of Alabama, with 119 other students of the Nation, met with the President and Mrs. Johnson at the White House on June 10th where they were entertained and presented with the first Presidential Scholar award of bronze medals for each student, and

WHEREAS, Miss Crawford and Mr. Jordan have received National recognition for their achievement as scholars and young citizens of great potential; Now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, that each of these two fine students are congratulated by the Legislature on the National honors received and the Legislature on behalf of the State of Alabama extends recognition of their achievement of honors for their State as well as themselves.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to both Miss Crawford and Mr. Jordan and that these two High School graduates be invited to come together for a visit to each House of the

Legislature so that the Presiding Officer of each respective House may have the opportunity and pleasure of presenting them to the members of the Legislature.

On motion of Mr. Pierce the rules were suspended and H. J. R. 28 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 18. Relative to congratulating Representative Quinton R. Bowers upon his selection for National honors by the Veterans of Foreign Wars.

Also:

H. J. R. 19. Relative to expressing regret upon the death of Robert Horton Rutland.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Hawkins, Metcalf, Lolley and Cooper:

S. J. R. 6. WHEREAS, Robert Horton Rutland, Director of Technical Staff, State Building Commission, who died unexpectedly Sunday, July 12, 1964, was an outstanding citizen of Alabama, whose conduct and service endeared him to all who knew him; and

WHEREAS, His athletic prowess, evidenced by winning the South-eastern Conference pole vault championship during his senior year at Auburn University brought honor not only to him but to his beloved Auburn; and

WHEREAS, He graduated with honor in 1934 from Auburn University with an Architectural-Engineering degree; and

WHEREAS, He served his country and state ably and with distinction during World War II and as Assistant Director of Technical Staff, State Building Commission, since 1951, and as Director of Technical Staff, State Building Commission, since 1963;

NOW THEREFORE BE IT RESOLVED BY THE ALABAMA SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That

this Legislature notes with profound regret the passing of Robert Horton Rutland, and expresses sympathy to all the surviving members of his family.

AND BE IT FURTHER RESOLVED, That the Secretary of the Senate be directed to transmit a copy of this Resolution to the bereaved widow, Mrs. Mary Louise Rutland, at Montgomery.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cates the rules were suspended and the House concurred in and adopted the S. J. R. 6 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Carter and Shelton:

S. J. R. 7. WHEREAS, each year one of the top four winners of the "Miss Guntersville Lake Beauty Pageant" is designated by the Pageant Committee as "Miss Sun-Fun Alabama" to represent this state in the national contest held annually in Myrtle Beach, South Carolina, wherein the winner is designated "Miss Sun-Fun U. S. A."; and she also receives a sizeable cash award, is royally entertained for a Sun-Fun week at Myrtle Beach, and becomes a year round "Ambassador for Sun-Fun and the Grand Strand of South Carolina"; and

WHEREAS, Miss Linda Vaughn, whose rare beauty and charming personality had already won for her many honors, among them, the titles "Miss Anniston of 1963", and "Miss Guntersville Lake of 1963, a spot in the Beauty Section of Auburn University's "Glomerata", and the designation as one of Auburn University's "Greek Goddesses", was named this year as "Miss Sun-Fun, Alabama" by the Guntersville Lake Pageant Committee; and

WHEREAS, Miss Vaughn has recently been declared the winner in this national contest and will reign as "Miss Sun-Fun U. S. A.—1964" for the ensuing year; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama congratulates Miss Vaughn on winning this signal honor. We are proud to have this beautiful young lady represent our state and commend the contest judges on the excellent judgment they showed by selecting Miss Vaughn, as "Miss Sun-Fun U. S. A. 1964."

BE IT FURTHER RESOLVED That we extend to Miss Vaughn our best wishes for a year filled with many enjoyable and profitable events. We are confident that wherever she goes her outstanding beauty, her poise and charm of manner will reflect honor and glory on Alabama.

The Secretary of the Senate is hereby directed to send a copy of this resolution to the Guntersville Junior Chamber of Commerce, which sponsors the Guntersville Beauty Pageant, a copy to Miss Linda Vaughn, a copy to her parents, Mr. and Mrs. Boyd Vaughn, and a copy to the Press.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Carr the rules were suspended and the House concurred in and adopted the S. J. R. 7 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 23. Relative to Joint Committee to designate parking spaces for members of the Legislature during Sessions of the Legislature.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. McDow and Carter.

McDOWELL LEE,
Secretary.

COMMITTEE APPOINTED

In accordance with the provisions of the resolution, H. J. R. 23, the Speaker appointed Messrs. Sullivan, Hester and Pennington as a committee on the part of the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 24. Commending the Bay Minette Key Club for having been voted the most outstanding club in the Nation for the second successive year.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Dumas:

S. 30. To provide for and fix the sum of three hundred dollars per month as an allowance for expenses for the Mayor or other Chief Executive Officer of any City having a population of three hundred thousand inhabitants or more according to the last or any subsequent Federal census, for which he shall not be required to file an accounting; and to provide that such Mayor or Chief Executive Officer shall attend as the Official Representative of the City such meetings and conferences in said City to which he is invited and which will in the opinion of such Mayor or Chief Executive Officer result in the advertisement of such City or any function or undertaking of such City.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 30. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Dumas:

S. 20. To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

NOTICE. A bill will be introduced in the next session of the legislature, special or general, to establish an inferior court in precincts 9, 10, 21, 29, 42, 45 and 52 in Jefferson County, Ala., and in all other precincts lying within or partly within the City of Birmingham, Ala., in lieu of all Justices of the Peace in said precincts and in lieu of all notaries public with powers of Justices of the Peace, and in lieu of all other inferior courts created in lieu of Justices of the Peace heretofore created in said territory and with concurrent jurisdiction with all other Justices of the Peace and inferior courts in the Birmingham Division of Jefferson County, Ala., to define the jurisdiction and powers of said court, the judges, clerks and other officers thereof; to provide for places of holding said court, terms and salaries of said judges, the manner of their appointment and election.

Messenger—Sept. 21, 28; Oct. 5, 12, 1963.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation pub-

lished in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of September 21, 28; Oct. 5, 12, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 14th day of October 1963.

ANGIE CAMPISI,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 20. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Horton:

S. 99. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Also:

By Mr. Lolley:

S. 73. To apply in all counties having populations of not less than 30,550 nor more than 31,000, regulating the compensation of members of the county governing body.

Also:

By Mr. Dumas:

S. 16. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or

partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

Also:

By Mr. Dumas:

S. 17. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Also:

By Mr. Dumas:

S. 18. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

Also:

By Mr. Dumas:

S. 19. To amend the Title and Section 1 of Act No. 663, S. 132, approved September 6, 1961 (Acts of 1961, p. 827) entitled "An Act to provide for and regulate general and special elections in the cities and towns of this State, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections: providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast: designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor: prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the City or Town holding such elections."

Also:

By Mr. Dumas:

S. 21. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of

Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

There will be introduced at the Alabama Legislature the following bill to become a Local Act:

A BILL TO BE ENTITLED AN ACT

AN ACT

To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms of tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy Who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were Nov. 1, 8, 15, 22, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has

been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

My Commission expires 1-21-66.

Also:

By Mr. Dumas:

S. 22. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, Page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241, et seq.), as heretofore amended.

Also:

By Mr. Dumas:

S. 23. To amend Act No. 929 of the Legislature of Alabama of 1951 approved September 12, 1951, Acts of Alabama 1951, Page 1579, et seq., as heretofore amended.

Also:

By Mr. Dumas:

S. 24. To amend Act No. 556, of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, Page 1376 et seq.

Also:

By Mr. Dumas:

S. 25. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Also:

By Mr. Dumas:

S. 26. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

Also:

By Mr. Dumas:

S. 27. To apply in and only in each City in this State having a population of 300,000 or more, according to the last or any subsequent decennial Federal census; to provide for the creation of the office of City Magistrate and the appointment of City Magistrates: To define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest.

Also:

By Mr. Dumas:

S. 28. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Also:

By Mr. Dumas:

S. 29. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq. until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next general or special session of the Legislature of ALABAMA application will be made to the Legislature that the following bill be enacted:

A BILL TO BE ENTITLED AN ACT

To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of

Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Jefferson County, Alabama.

Section 2 (a). Subject to the conditions specified in subsection (c) below, in each criminal case, quasi criminal case, proceeding on a forfeited bail bond in the Circuit Court or in each criminal case in any statutory inferior court in Jefferson County, Alabama, there shall be taxed a witness fee of One (\$1.00) Dollar for each deputy sheriff subpoenaed in any such case.

(b) Subject to the conditions specified in subsection (c) below, such witness fee shall be collected by the clerks of the Courts, and the total of such fees collected on account of any one deputy sheriff on the same day, only the sum of One (\$1.00) Dollar shall be paid to the said deputy sheriff witness, and the balance of said witness fees collected on said cases on account of deputy sheriff witnesses shall be paid monthly to the Treasurer of the County for the use of and benefit of the retirement fund of the retirement system established by Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, General Acts of Alabama of 1953, page 766, et seq. until the benefits are being paid from the said retirement fund at the maximum rates provided for by said Act No. 551, and thereafter the aforesaid balance of said witness fees shall be paid monthly to the Treasurer of said County for the use of and benefit of the retirement fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, page 1250, et seq.

(c) In those cases where the defendant is required to serve time in lieu of payment of costs, no witness fee on account of said deputy sheriff shall be collected and such witness fees that shall be paid into either of the retirement funds above mentioned shall be limited to two witness fees in any one case.

Section 3. If any part of this Act shall be held invalid, such holding shall not affect the validity of the remaining parts of the said Act.

Section 4. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of January 11, 18, 25, and February 1, 1964, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 3 day of February, 1964.

MILDRED M. GRIFFIN,
Notary Public.

Also:

By Mr. Dumas:

S. 31. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Also:

By Mr. Dumas:

S. 32. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

Also:

By Mr. Dumas:

S. 33. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Mr. Dumas:

S. 34. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 99. Local Legislation No. 1.
- S. 73. Local Legislation No. 1.
- S. 16. Local Legislation No. 2.
- S. 17. Local Legislation No. 2.
- S. 18. Local Legislation No. 2.
- S. 19. Local Legislation No. 2.
- S. 21. Local Legislation No. 2.
- S. 22. Local Legislation No. 2.
- S. 23. Local Legislation No. 2.
- S. 24. Local Legislation No. 2.
- S. 25. Local Legislation No. 2.
- S. 26. Local Legislation No. 2.
- S. 27. Local Legislation No. 2.
- S. 28. Local Legislation No. 2.
- S. 29. Local Legislation No. 2.

- S. 31. Local Legislation No. 2.
- S. 32. Local Legislation No. 2.
- S. 33. Local Legislation No. 2.
- S. 34. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Dumas:

S. 35. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

By Mr. Dumas:

S. 36. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Also:

By Mr. Dumas:

S. 37. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

The State of Alabama—Jefferson County.

NOTICE is hereby given that a Bill will be introduced at the next Special or Regular Session of the Alabama Legislature for the passage of an ACT to increase the annual salaries of the Judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said Judges.

Messenger—Nov. 16, 23, 30; Dec. 7, 1963.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly

sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of November 16, 23, 30; Dec. 7, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 28th day of July, 1964.

ANGIE CAMPISI,
Notary Public.

Also:

By Mr. Dumas:

S. 38. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regular the payment of the salaries of said judge:

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE is hereby given that a bill will be introduced in the next regular or special session of the Legislature of Alabama which will increase the compensation to be paid the Judge of the Jefferson County Criminal Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of November 16, 23, 30; Dec. 7, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 30th day of July 1964.

ANGIE CAMPISI,
Notary Public.

Also:

By Mr. Dumas:

S. 39. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, is hereby amended to read as follows:

"Section 3. That said assistant to the Sheriff shall be paid an annual salary of eleven thousand dollars (\$11,000.00) to be paid out of the County Treasury as the salaries of other County employees are paid."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Bessemer Advertiser,
January 31, Feb. 7-14-21, 1964.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Jan. 31st; Feb. 7-14-21, 1964 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 21st day of Feb. 1964.

W. E. MILLER,
Notary Public.

Also:

By Mr. Dumas:

S. 40. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Mr. Dumas:

S. 41. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Mr. Dumas:

S. 42. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

Also:

By Mr. Dumas:

S. 43. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

By Mr. Dumas:

S. 44. To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill in substantially the following form will be introduced in the next Regular or Special Session of Legislature of Alabama and an effort made towards the passage of same:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, P. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Be It Enacted by the Legislature of Alabama:

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: **EDITOR-PUBLISHER of The Bessemer**

Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: November 8, 15, 22, 29, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

My Commission expires 1-21-66.

Also:

By Mr. Dumas:

S. 45. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

By Mr. Dumas:

S. 46. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill in substantially the following form will be introduced in the next Regular or Special Session of Legislature of Alabama and an effort made towards the passage of same:

A BILL TO BE ENTITLED AN ACT

To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register

of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer and to further provide for such office and the duties, authority and compensation for such office.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, Who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Nov. 22, 29, Dec. 6, 13, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

My Commission expires 1-21-66.

Also:

By Mr. Dumas:

S. 47. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Also:

By Mr. Dumas:

S. 48. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

By Mr. Dumas:

S. 49. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next general or special session of the Legislature of ALABAMA application will be made to the Legislature that the following bill be enacted:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 19 of Act 333, Acts of Alabama 1953, approved August 17, 1953, is hereby amended so as to read as follows:

Section 19. Notices of the requirement of the attendance of jury service may be served by first class mail, or may be served as provided by Section 33, of Title 30, Code of Alabama, 1940. Should in the discretion of the Sheriff, the service be made by first class mail, such service shall be as follows: It shall be the duty of the Sheriff of the County to enclose the summons in an envelope addressed to the person to be served and place all necessary postage and a return address thereon with notice to the postal authorities not to forward outside of Jefferson County, Alabama. In the event said jury summons is returned to the Sheriff by the Post Office Department of the United States without delivery the summons shall be by the Sheriff returned NOT FOUND. All jury summons not returned by said Post Office Department shall be considered for all purposes as sufficient personal and legal service. The provisions of this Section in reference to service by mail, however shall not apply to jury summons returnable before the Court instantler, but such summons shall be served only as provided by Section 33 of Title 03, Code of Alabama of 1940.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

**STATE OF ALABAMA
JEFFERSON COUNTY**

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th Day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of January 11, 18, 25 and February 1, 1964, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 3 day of February, 1964.

MILDRED M. GRIFFIN,
Notary Public.

Also:

By Mr. Dumas:

S. 50. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there

may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

Also:

By Mr. Dumas:

S. 51. To provide that the governing body of any city in the state having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

Also:

By Mr. Dumas.

S. 52. To amend Section 3 of Act No. 695 of the 1951 Legislature.

Also:

By Mr. Dumas:

S. 56. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 35. Local Legislation No. 2.
- S. 36. Local Legislation No. 2.
- S. 37. Local Legislation No. 2.
- S. 38. Local Legislation No. 2.
- S. 39. Local Legislation No. 2.
- S. 40. Local Legislation No. 2.
- S. 41. Local Legislation No. 2.
- S. 42. Local Legislation No. 2.
- S. 43. Local Legislation No. 2.
- S. 44. Local Legislation No. 2.

S. 45. Local Legislation No. 2.

S. 46. Local Legislation No. 2.

S. 47. Local Legislation No. 2.

S. 48. Local Legislation No. 2.

S. 49. Local Legislation No. 2.

S. 50. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 2.

S. 51. Local Legislation No. 2.

S. 52. Local Legislation No. 2.

S. 56. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Gilchrist:

S. 5. Relating to the Municipality of Decatur, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the City of Decatur, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the next Special or Regular Session of the Legislature of Alabama for the enactment of local law substantially as follows:

A BILL TO BE ENTITLED AN ACT

Relating to the Municipality of Decatur, in Morgan County, Alabama:

To alter, re-arrange and extend the boundaries and corporate limits of the Town of Decatur, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION 1

The boundaries of the Municipality of Decatur, in Morgan County, Alabama, are hereby altered, re-arranged, and extended to include within the corporate limits of the Town of Decatur, Alabama, in addition to the territory now embraced therein, the following described territory situated in Morgan County, Alabama, to-wit:

The SE¼ of the NE¼ of Section 12, Township 6 South, Range 5 West; and

A tract of land containing 14.92689 acres lying in the SE¼ of NE¼, Section 31, Township 5 South, Range 4 West, Morgan County, Alabama, described as follows: Beginning at the southeast corner of Section 31, Township 5 South, Range 4 West, and running north along the section line 2664 feet to the true point of beginning; thence continuing north

along said section line 543.78 feet to a point on the westerly margin of the L & N Railroad right-of-way; thence turning an angle of 171°-11' measured clockwise from back tangent and running northwesterly along the westerly margin of said right-of-way 23.38 feet to a point; thence turning an angle of 98°-49' measured clockwise from back tangent and running westerly 1143.50 feet to a point; thence turning an angle of 90° and running southerly 566.88 feet to a point; thence turning an angle of 90° and running easterly 1147.08 feet to the true point of beginning; and also

Beginning at the southeast corner of Section 31, Township 5 South, Range 4 West, and running north along the Section line 2664 feet to a point; thence turning an angle of 90° and running west 1147.08 feet to the true point of beginning; thence turning an angle of 90° and running north 566.88 feet to a point; thence turning an angle of 90° and running west 1532.73 feet to a point; thence turning an angle of 89° 57' measured clockwise from back tangent and running southerly 971.23 feet to a point; thence turning an angle of 89° 45' measured clockwise from back tangent and running easterly 1531.90 feet to a point; thence turning an angle of 90° 18' measured clockwise from back tangent and running north 396.33 feet to the true point of beginning, all the herein described land lying and being in the E½ of Section 31, Township 5 South, Range 4 West, Morgan County, Alabama, and containing 34.02 acres.

SECTION 2

This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 4th, Jan. 11th, Jan. 18th, and Jan 25th, all in the year 1964.

B. C. SHELTON.

Sworn to and subscribed before me January 27th, 1964.

R. H. JERVIS,
Notary Public.

Also:

By Mr. Nichols:

S. 8. To regulate the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000.

Also:

By Mr. Nichols:

S. 9. Relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of a clerk for the board of registrars whose compensation shall be paid by the county.

Also:

By Mr. Nichols:

S. 10. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-five Thousand (65,000) nor more than Ninety-five Thousand (95,000), according to the most recent Federal Decennial census.

Also:

By Mr. Nichols:

S. 11. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

Also:

By Mr. McCain:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Also:

By Mr. Wilson:

S. 15. Relating to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Also:

By Mr. Taylor:

S. 61. To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Butler.

Notice is hereby given that a bill substantially as follows will be introduced at the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235), is hereby amended to read as follows:

"Section 3. Judge. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1952, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. (b) Immediately after the passage of this Act, the Governor shall appoint and commission a judge of the court herein established, who shall hold office until his successor is elected or appointed as provided herein. (c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Butler County, learned in the law, and has been licensed to practice law in this state for two years. ~~The judge and his partner shall not practice law in the court herein established, nor participate in any case appealed from such court, but they shall be free to practice in all other courts and engage in the general practice of law.~~ Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution. (d) The judge shall receive an annual salary of \$4,800 payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid. (e) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunctions and ne exeat; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits involving the custody of children. (f) The judge shall be provided, at the expense of the county, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court. (g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code."

Section 2. This Act shall be effective from the first Monday after the second Tuesday in January, 1965.

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, Wm. E. Hardin, Jr., who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the city of Greenville, Butler County, Alabama, and that the attached legal

notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of Jan. 23, Jan. 30, Feb. 6 and Feb. 13 and being numbers 17, 18, 19 & 20, respectively of Volume 99.

W. E. HARDIN.

Sworn to and subscribed before me, this 27th day of July, 1964.

PAULINE B. FULTON,
Notary Public.

Also:

By Mr. Taylor:

S. 64. To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Butler.

Notice is hereby given that a bill substantially as follows will be introduced at the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 325, H. 873, Regular Session 1957, entitled "An Act Relating to Butler County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of said county to provide for reimbursing the Judge of the Inferior Court of Butler County the expenses incurred by him in maintaining his office and in the performance of his duties," (Acts 1957, v. 1, p. 429) is hereby expressly repealed.

Section 2. This act shall take effect on the first Monday after the second Tuesday in January, 1965.

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, Wm. E. Hardin, Jr., who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the city of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of Jan. 23, Jan. 30, Feb. 6, Feb. 13, 1964 and being numbers 17, 18, 19 & 20, respectively of Volume 99.

W. E. HARDIN.

Sworn to and subscribed before me, this 27th day of July, 1964.

PAULINE B. FULTON,
Notary Public.

Also:

By Mr. Taylor:

S. 65. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body of all counties having populations of not less than 24,525 nor more than 24,675.

Also:

By Mr. Taylor:

S. 66. For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Butler.

Notice is hereby given that a bill substantially as follows will be introduced at the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

Be It Enacted by the Legislature of Alabama:

Section 1. Immediately upon passage of this act the Court of County Commissioners of Butler County, Alabama, is authorized and directed to issue its warrant on the county depository of said county in favor of Joseph H. Till, Jr., in the sum of Five Hundred Dollars (\$500.00), which shall be paid out of any funds in said county depository not otherwise appropriated, for the purpose of compensating the said Joseph H. Till, Jr., for fire damage to timber on his land, caused by the county right of way crew when burning right of way on a public road in Butler County, Alabama.

Section 2. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the city of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of Jan. 23, Jan. 30, Feb. 6 and Feb. 13, and being numbers 17, 18, 19 and 20, respectively of Volume 99.

J. G. STANLEY.

Sworn to and subscribed before me, this 27th day of July, 1964.

PAULINE B. FULTON,
Notary Public.

Also:

By Mr. Bentley:

S. 69. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

Also:

By Mr. Bentley:

S. 70. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

Also:

By Mr. Reynolds:

S. 74. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Also:

By Mr. Givhan:

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

Also:

By Mr. Montgomery:

S. 89. Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Greene County the members of the county board of registrars shall each receive five dollars per day to be paid by the county and disbursed on order of the judge of probate for each days' attendance of the registrar upon the sessions of the board. The per diem pay provided for herein shall be payable from the general funds of the county and shall be in addition to the compensation of registrars payable

by the State as prescribed in the act approved September 30, 1947, and amended by an act approved September 12, 1951.

Section 2. The provisions of this act are cumulative.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Greene County Democrat, a newspaper of general circulation published in Eutaw, Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 20, Feb. 27, Mar. 5, and Mar. 12, all in the year 1964.

RICHARD K. MARTIN.

Sworn to and subscribed before me on Aug. 3, 1964.

GENEVA L. MATTISON,
Notary Public.

Also:

By Mr. Montgomery:

S. 90. Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

Be It Enacted by the Legislature of Alabama:

1. The Court of County Commissioners of Greene County, or other like governing body of the county, is hereby authorized and empowered to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputies sheriff now authorized by law, which additional deputy sheriff shall hold office at the pleasure of the Sheriff of Greene County.

2. Such additional deputy sheriff shall be paid as compensation not less than Two Thousand, Four Hundred (\$2,400.00) Dollars per annum, nor more than Four Thousand, Eight Hundred (\$4,800.00) Dollars per annum, to be paid in twelve equal monthly installments out of the general funds of Greene County, as determined by the governing body of Greene County. Such additional deputy sheriff shall be eligible to perform the duties of deputy sheriff anywhere in Greene County.

3. All laws or parts of laws which conflict herewith are hereby repealed.

4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, July 18, July 25, and August 1, all in the year 1963.

RICHARD K. MARTIN.

Sworn to and subscribed before me August 5, 1963.

GENEVA L. MATTISON,
Notary Public.

Also:

By Mr. Montgomery:

S. 91. Relating to Greene County; providing for the relief of P. T. Martin.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Greene County; providing for the relief of P. T. Martin.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Greene County may in its discretion appropriate from the general funds of the county the sum of \$688.72 for the relief of P. T. Martin, former coroner of said county, in payment of a just and equitable claim against the county which accrued on account of official duties performed by the said P. T. Martin as coroner, without compensation.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Greene County Democrat, a newspaper of general circulation published in Eutaw, Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 6, 13, 20 and 27, all in the year 1964.

RICHARD K. MARTIN.

Sworn to and subscribed before me on August 3, 1964.

GENEVA L. MATTISON,
Notary Public.

Also:

By Mr. Horton:

S. 98. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 5. Local Legislation No. 1.

S. 8. Local Legislation No. 1.

- S. 9. Local Legislation No. 1.
- S. 10. Local Legislation No. 1.
- S. 11. Local Legislation No. 1.
- S. 13. Local Legislation No. 1.
- S. 15. Local Legislation No. 1.
- S. 61. Local Legislation No. 1.
- S. 64. Local Legislation No. 1.
- S. 65. Local Legislation No. 1.
- S. 66. Local Legislation No. 1.
- S. 69. Local Legislation No. 1.
- S. 70. Local Legislation No. 1.
- S. 74. Local Legislation No. 1.
- S. 87. Local Legislation No. 1.
- S. 89. Local Legislation No. 1.
- S. 90. Local Legislation No. 1.
- S. 91. Local Legislation No. 1.
- S. 98. Local Legislation No. 1.

BILLS ON THIRD READING

H. 23. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the state for the associate judge.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cook	Grouby	NeSmith
Albea	Cornett	Hain	Perry
Bailes	Crawford	Hankins	Posey
Bassett	Daniel	Harper	Powell
Bethea (M)	Doggett	Heflin	Rast
Bevill	Dominick	Hester	Reynolds
Blanton	Downing	Holladay	Rogers
Bolton	Drake	Ingram	Salter
Boston	Edington	Jones (Covington)	Scurlock
Bowers	Edwards (Escambia)	Little	Sessions
Branyon	Edwards (Lowndes)	Locke	Smith
Burnham	Engel	McCorquodale	Snell
Camp	Faulk	McDermott	Stembridge
Campbell (Jackson)	Fields	Merrill	Tuck
Campbell (Tuscaloosa)	Fite	Moore	Turner (Limestone)
Casey	Gilmore	Nabors	Vacca
Cates	Glass		

—66

And the bill:

H. 25. To apply only in counties having populations of not less than 28,000 nor more than 30,575, authorizing such counties to make certain temporary loans.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hain	Pierce
Albea	Cornett	Hankins	Posey
Avery	Crawford	Hannah	Powell
Bailes	Daniel	Harper	Pruitt
Baker (DeKalb)	Doggett	Heflin	Rast
Bassett	Dominick	Hester	Reynolds
Bethea (M)	Downing	Holladay	Rogers
Bevill	Drake	Ingram	Salter
Blanton	Edington	Jones (Covington)	Scurlock
Bolton	Edwards (Escambia)	Jones (Monroe)	Sessions
Boston	Edwards (Lowndes)	Little	Smith
Bowers	Engel	Locke	Stembridge
Branyon	Faulk	McCorquodale	Sullivan
Burnham	Fields	McDermott	Thomas
Camp	Fite	Mashburn	Tuck
Campbell (Jackson)	Gilmore	Merrill	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Moore	Turner (Limestone)
Casey	Goldthwaite	Nabors	Turnham
Cates	Goodwyn	NeSmith	Vacca
Cook	Grouby	Paulk	

—79

And the bill:

H. 72. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Cook	Hain	Pierce
Albea	Cooper	Hankins	Posey
Avery	Cornett	Hannah	Powell
Bailes	Crawford	Harper	Rast
Baker (DeKalb)	Daniel	Heflin	Reynolds
Bassett	Doggett	Hester	Rogers
Bethea (M)	Dominick	Holladay	Salter
Bevill	Downing	Ingram	Scurlock
Blanton	Drake	Jones (Covington)	Sessions
Bolton	Edington	Jones (Monroe)	Smith
Boston	Edwards (Escambia)	McCorquodale	Snell
Bowers	Edwards (Lowndes)	McDermott	Stembridge
Branyon	Engel	Mashburn	Sullivan
Brown (Jefferson)	Faulk	Meeks	Thomas
Burnham	Fields	Merrill	Tuck
Camp	Fite	Moore	Turner (Crenshaw)
Campbell (Jackson)	Gilmore	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	NeSmith	Turnham
Casey	Goldthwaite	Paulk	Vacca
Cates	Grouby		

—78

Nay: Mr. Perry

—1

H. 93 POSTPONED

On motion of Mr. Locke, consideration of the bill, H. 93, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 123. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags, and by prescribing further penalties.

Was taken up.

Mr. Engel offered the following substitute for the bill, H. 123:

Substitute for H. 123:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags, and by prescribing further penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 706, Title 51, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 706. License tags; sale or transfer of vehicle; transfer from one vehicle to another; penalty.—(a) When proper motor vehicle license tags shall have been bought for the current tax year for a motor vehicle and such motor vehicle shall have been sold or transferred to a new owner or to new owners, either once or successively, such motor vehicle license tags shall remain on such motor vehicle in the hands of the new owner or successive owners for the balance of the tax year, and no new or other license tags need be taken out for the operation of such motor vehicle until the beginning of the next tax year, provided, each and every change of ownership of such automobile, or other motor vehicle, and the name and address of the new or successive owner are noted by the probate judge on his record of the license and reported by him within ten (10) days after such change in ownership is reported to him to the state department of revenue, and it shall be the duty of the old and new successive owners to report such change in ownership to the probate judge within five days from such change in ownership.

"(b) No motor vehicle license tags shall be transferred from one motor vehicle to another motor vehicle, nor shall any motor vehicle be operated with motor vehicle license tags which were originally purchased or taken out for use on, or for the operation of, another motor vehicle, except that where a license tag costing in excess of one hundred dollars (\$100.00) exclusive of any fees or penalties incurred in the issuance of such tag has been procured for a motor truck operated for hire and licensed under the provisions of Act No. 672, H. 479, approved September 8, 1961 (Acts of Alabama, 1961, p. 921), or where a license tag has been procured for a taxicab or motor bus, which motor truck, taxicab, or motor bus is afterwards, during the same tax year, destroyed, or junked, or sold by the owner thereof, such owner may, by applying to the judge of probate or other licensing office of the county where such license tag was issued, procure a transfer of such tag to a motor vehicle of the same class to be substituted as a motor truck, taxicab, or motor bus for the one so destroyed, junked or sold, and such licensing authority shall, by endorsement on the license receipt or by separate paper, note such transfer, and shall also report the same to the state department of revenue and shall receive a fee of fifty cents (\$.50) for so doing, such fee to be paid by the owner of such motor truck, taxicab, or motor bus.

"(c) When a motor vehicle is acquired under legal proceedings or is repossessed under authority of conditional sales contract, or mortgage, or other lien, the person so acquiring such motor vehicle shall file with the probate judge, or such officer performing the duties of the probate judge, a copy of such court order or memorandum of sale, signed by the auctioneer or other person selling the same at foreclosure or under conditional sales contract, mortgage, or lien, and such order or memorandum shall be properly noted on the duplicate license record and retained in the office of the probate judge, or the office of such other officer performing the duties of the probate judge, and report thereof mailed to the state department of revenue within ten days.

"(d) In counties having a population of 300,000 or more inhabitants according to the last or any subsequent federal census, any person who acquires a motor vehicle and fails to transfer ownership with the probate judge, or such other officer performing the duties of the probate judge, or who fails to file a copy of the court order or memorandum of sale when a motor vehicle is acquired under legal proceedings or is repossessed, within ten (10) days from the date upon which the motor vehicle was acquired or repossessed, shall be penalized the sum of one dollar and fifty cents (\$1.50). The penalty shall be allowed the probate judge, or such other officer performing the duties of the probate judge, and shall be paid to him when the change of ownership is reported or when the court order or memorandum of sale is filed. Any person, firm, or corporation engaged in the business of selling or otherwise disposing of motor vehicles shall furnish each purchaser thereof with a legal bill of sale on which there shall be printed, stamped, or otherwise inscribed thereon in a bold and conspicuous manner the words: 'Penalty of \$1.50 due if not transferred within ten (10) days.' Provided, further, that it shall be the duty of the person who acquires a motor vehicle to make application to the probate judge, or such other officer performing the duties of the probate judge, on forms prescribed and provided by him, for transfer of ownership. Where such application form is not completed prior to the time the applicant submits it to the probate judge, or such other officer performing the duties of the probate judge, it must then be completed or filled out completely by the probate judge, or such other officer performing the duties of the probate judge, and an additional fee of twenty-five cents (\$.25) shall be charged by the probate judge or such other officer performing the duties of the probate judge. Such additional fee shall be paid to the probate judge, or such other officer performing the duties of the probate judge, by the new owner. Provided, however, that in all counties where the probate judge, or such other officer performing the duties of the probate judge, is paid on a salary basis instead of a fee basis, the additional fee herein charged shall be paid by said probate judge, or such other officer performing the duties of the probate judge, into the treasury of the county or to the official performing the duties of county treasurer.

"Any person failing to perform the duty required of him by the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each offense."

Section 2. This Act shall become effective October 1, 1964.

And the substitute was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker
Albea
Avery

Bailes
Baker (DeKalb)
Bassett

Bethea (M)
Bevill
Blanton

Bolton
Boston
Bowers

Branyon	Edwards (Lowndes)	Holladay	Powell
Brown (Jefferson)	Engel	Ingram	Pruitt
Burnham	Faulk	Jones (Covington)	Reynolds
Camp	Fields	Jones (Monroe)	Rogers
Campbell (Jackson)	Fite	Locke	Salter
Campbell (Tuscaloosa)	Gilmore	McCorquodale	Scurlock
Casey	Glass	McDermott	Sessions
Cates	Goodwyn	Mashburn	Smith
Cook	Grouby	Meeks	Snell
Cooper	Hain	Merrill	Stembridge
Cornett	Hankins	Moore	Sullivan
Crawford	Hannah	Nabors	Thomas
Daniel	Harper	NeSmith	Tuck
Doggett	Hawkins	Paulk	Turner (Crenshaw)
Downing	Heflin	Perry	Turner (Limestone)
Drake	Hester	Pierce	Turnham
Edington	Hogan	Posey	Vacca
Edwards (Escambia)			

—81

And said bill, H. 123, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Paulk
Albea	Cates	Hannah	Perry
Avery	Cook	Harper	Pierce
Bailes	Cooper	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Bassett	Crawford	Hester	Pruitt
Bethea (M)	Daniel	Hogan	Reynolds
Bevill	Doggett	Holladay	Rogers
Blanton	Downing	Ingram	Scurlock
Bolton	Drake	Jones (Covington)	Sessions
Boston	Edington	Jones (Monroe)	Smith
Bowers	Edwards (Escambia)	Locke	Snell
Branyon	Edwards (Lowndes)	McDermott	Stembridge
Brown (Jefferson)	Engel	Mashburn	Sullivan
Burnham	Faulk	Meeks	Thomas
Camp	Fields	Merrill	Tuck
Campbell (Jackson)	Gilmore	Moore	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Morrow	Turner (Limestone)
Cantrell	Grouby	Nabors	Turnham
Carr	Hain	NeSmith	Vacca

—80

And the bill:

H. 139. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Amendment CXCV to the Constitution of Alabama providing for the levy and collection by Mobile County of a special tax, not exceeding six mills on each dollar of taxable property in the County, for public hospital purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 1.

Yeas:

Mr. Speaker	Casey	Hain	NeSmith
Albea	Cates	Hankins	Paulk
Avery	Cook	Hannah	Perry
Bailes	Cooper	Harper	Pierce
Baker (DeKalb)	Cornett	Hawkins	Posey
Bassett	Crawford	Heflin	Powell
Bethea (M)	Daniel	Hester	Pruitt
Bevill	Doggett	Hogan	Rast
Blanton	Dominick	Holladay	Reynolds
Bolton	Downing	Ingram	Rogers
Boston	Drake	Jones (Covington)	Salter
Bowers	Edington	Little	Sessions
Branyon	Edwards (Escambia)	Locke	Snell
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Stembridge
Burnham	Engel	McDermott	Sullivan
Burns	Faulk	Mashburn	Thomas
Camp	Fields	Meeks	Tuck
Campbell (Jackson)	Gilmore	Merrill	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Moore	Turner (Limestone)
Cantrell	Goodwyn	Morrow	Turnham
Carr	Grouby	Nabors	Vacca

—84

Nay: Mr. Smith

—1

And the bill:

H. 18. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	Paulk
Albea	Cates	Hankins	Perry
Avery	Cook	Hannah	Posey
Bailes	Cooper	Harper	Powell
Baker (DeKalb)	Cornett	Heflin	Pruitt
Bassett	Crawford	Hester	Rast
Bethea (M)	Daniel	Hogan	Reynolds
Bevill	Doggett	Holladay	Rogers
Blanton	Dominick	Ingram	Salter
Bolton	Downing	Jones (Covington)	Scurlock
Boston	Drake	Locke	Sessions
Bowers	Edington	McCorquodale	Smith
Branyon	Edwards (Escambia)	McDermott	Snell
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Stembridge
Burnham	Engel	Meeks	Sullivan
Burns	Faulk	Merrill	Thomas
Camp	Fields	Moore	Tuck
Campbell (Jackson)	Fite	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Gilmore	Nabors	Turner (Limestone)
Cantrell	Glass	Nettles	Turnham
Carr	Grouby		

—82

And the bill:

H. 29. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the Town of Rainbow City, Etowah County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cates	Heflin	Posey
Albea	Cook	Hester	Powell
Avery	Cooper	Hogan	Pruitt
Bailes	Cornett	Holladay	Rast
Baker (DeKalb)	Crawford	Ingram	Reynolds
Bassett	Daniel	Jones (Covington)	Rogers
Bethea (M)	Doggett	Little	Salter
Bevill	Downing	Locke	Scurlock
Blanton	Drake	McCorquodale	Sessions
Bolton	Edington	McDermott	Smith
Boston	Edwards (Escambia)	Mashburn	Snell
Bowers	Edwards (Lowndes)	Meeks	Stembridge
Branyon	Faulk	Merrill	Sullivan
Brown (Jefferson)	Gilmore	Moore	Thomas
Burnham	Glass	Morrow	Tuck
Camp	Grouby	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hain	Nettles	Turner (Limestone)
Cantrell	Hankins	Paulk	Turnham
Carr	Hannah	Perry	Vacca
Casey	Harper		

—78

And the bill:

H. 30. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Brown (Jefferson)	Daniel	Hain
Albea	Brown (Tuscaloosa)	Doggett	Hankins
Avery	Burnham	Dominick	Hannah
Bailes	Camp	Downing	Harper
Baker (DeKalb)	Campbell (Tuscaloosa)	Drake	Heflin
Bassett	Cantrell	Edington	Hester
Bethea (M)	Carr	Edwards (Escambia)	Hogan
Bevill	Casey	Edwards (Lowndes)	Holladay
Blanton	Cates	Engel	Ingram
Bolton	Cook	Faulk	Jones (Covington)
Boston	Cooper	Fields	Little
Bowers	Cornett	Glass	Locke
Branyon	Crawford	Grouby	McCorquodale

McDermott	Paulk	Rogers	Sullivan
Mashburn	Perry	Salter	Thomas
Meeks	Posey	Scurlock	Tuck
Merrill	Powell	Sessions	Turner (Crenshaw)
Moore	Pruitt	Smith	Turner (Limestone)
Morrow	Rast	Snell	Turnham
Nabors	Reynolds	Stembridge	Vacca
Nettles			

—81

And the bill:

H. 31. An Act providing further for the operation of the justices of peace and notaries ex officio justices of the peace of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; allowing justices of peace and notaries ex officio justice of peace jurisdiction in garnishment or attachment proceedings in any civil case.

Was taken up.

Mr. Burns offered the following substitute for the bill, H. 31:

A BILL
TO BE ENTITLED
AN ACT

Relating to justice of the peace courts in counties having populations of not less than 96,000 nor more than 106,000; to restore to or reconfer on certain justices of the peace and notaries public ex officio justices of the peace within such counties certain jurisdiction withdrawn and taken away from them by local acts.

Be It Enacted by the Legislature of Alabama:

Section 1. Every justice of the peace and notary public ex officio justice of the peace elected or appointed for any precinct in any county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census, shall have and may exercise the same jurisdiction in civil cases involving garnishment and attachment proceedings, as other justices of the peace and notaries with powers of justices of the peace under the general laws of the State.

Section 2. All local or general laws in conflict with this Act are repealed to the extent of the conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Bethea (M)	Branyon	Campbell (Tuscaloosa)
Albea	Bevill	Brown (Jefferson)	Cantrell
Avery	Blanton	Brown (Tuscaloosa)	Carr
Bailes	Bolton	Burnham	Casey
Baker (DeKalb)	Boston	Burns	Cates
Bassett	Bowers	Camp	Cook

Cooper	Glass	McDermott	Rogers
Crawford	Grouby	Mashburn	Salter
Daniel	Hain	Meeks	Scurlock
Doggett	Hankins	Merrill	Sessions
Dominick	Hannah	Moore	Smith
Downing	Harper	Morrow	Snell
Drake	Heflin	Nabors	Stembridge
Edington	Hester	Nettles	Sullivan
Edwards (Escambia)	Hogan	Paulk	Thomas
Edwards (Lowndes)	Holladay	Perry	Tuck
Engel	Ingram	Posey	Turner (Crenshaw)
Faulk	Jones (Covington)	Powell	Turner (Limestone)
Fields	Little	Pruitt	Turnham
Fite	Locke	Rast	Vacca
Gilmore	McCorquodale	Reynolds	

—83

And said bill H. 31, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Paulk
Albea	Cates	Harper	Perry
Avery	Cook	Hawkins	Posey
Bailes	Cooper	Heflin	Powell
Baker (DeKalb)	Cornett	Hester	Pruitt
Bassett	Crawford	Hogan	Rast
Bethea (M)	Daniel	Holladay	Reynolds
Bevill	Doggett	Ingram	Rogers
Blanton	Downing	Jones (Covington)	Salter
Bolton	Drake	Little	Scurlock
Boston	Edington	Locke	Sessions
Bowers	Edwards (Escambia)	McCorquodale	Smith
Branyon	Edwards (Lowndes)	McDermott	Snell
Brown (Jefferson)	Engel	Mashburn	Stembridge
Brown (Tuscaloosa)	Faulk	Meeks	Sullivan
Burnham	Fields	Merrill	Thomas
Burns	Gilmore	Moore	Tuck
Camp	Glass	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Nabors	Turner (Limestone)
Cantrell	Hain	NeSmith	Turnham
Carr	Hankins	Nettles	Vacca

—84

And the bill:

H. 35. Relating to counties having a population of not less than 21,988 nor more than 22,000; and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such a salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Perry
Albea	Cooper	Hawkins	Posey
Avery	Cornett	Heflin	Powell
Bailes	Crawford	Hester	Pruitt
Baker (DeKalb)	Daniel	Hogan	Rast
Bassett	Doggett	Holladay	Reynolds
Bethea (M)	Downing	Ingram	Rogers
Bevill	Drake	Jones (Covington)	Salter
Blanton	Edington	Little	Scurlock
Boston	Edwards (Escambia)	Locke	Sessions
Bowers	Edwards (Lowndes)	McCorquodale	Smith
Branyon	Engel	McDermott	Snell
Brown (Jefferson)	Faulk	Mashburn	Steagall
Brown (Tuscaloosa)	Fields	Meeks	Stembridge
Burnham	Fite	Merrill	Sullivan
Camp	Gilmore	Moore	Thomas
Campbell (Jackson)	Glass	Morrow	Tuck
Campbell (Tuscaloosa)	Grouby	Nabors	Turner (Crenshaw)
Cantrell	Hain	NeSmith	Turner (Limestone)
Carr	Hankins	Nettles	Turnham
Casey	Hannah	Paulk	Vacca
Cates			

—85

And the bill.

H. 163. To apply in counties having populations of not less than 14,400 nor more than 14,900, providing expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Perry
Albea	Cook	Harper	Pierce
Avery	Cooper	Heflin	Posey
Bailes	Cornett	Hester	Powell
Baker (DeKalb)	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Rast
Bethea (M)	Doggett	Ingram	Reynolds
Bevill	Downing	Jones (Covington)	Rogers
Blanton	Drake	Little	Salter
Boston	Edington	Locke	Scurlock
Bowers	Edwards (Escambia)	McCorquodale	Smith
Branyon	Edwards (Lowndes)	McDermott	Snell
Brown (Jefferson)	Engel	Mashburn	Steagall
Brown (Tuscaloosa)	Faulk	Meeks	Stembridge
Burnham	Fields	Merrill	Sullivan
Burns	Fite	Moore	Thomas
Camp	Gilmore	Morrow	Tuck
Campbell (Jackson)	Glass	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	NeSmith	Turner (Limestone)
Cantrell	Hain	Nettles	Turnham
Carr	Hankins	Paulk	Vacca
Casey			

—85

And the bill:

H. 164. Relating to counties having populations of not less than 14,000 nor more than 14,900; fixing the compensation of the coroner.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Perry
Albea	Cook	Hawkins	Pierce
Avery	Cooper	Heflin	Posey
Bailes	Cornett	Hester	Powell
Baker (DeKalb)	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Rast
Bethea (M)	Doggett	Ingram	Reynolds
Bevill	Downing	Jones (Covington)	Rogers
Blanton	Drake	Little	Salter
Boston	Edington	Locke	Scurlock
Bowers	Edwards (Escambia)	McCorquodale	Smith
Branyon	Edwards (Lowndes)	McDermott	Snell
Brown (Jefferson)	Engel	Mashburn	Steagall
Brown (Tuscaloosa)	Faulk	Meeks	Stembridge
Burnham	Fields	Merrill	Sullivan
Burns	Fite	Moore	Thomas
Camp	Gilmore	Morrow	Tuck
Campbell (Jackson)	Glass	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	NeSmith	Turner (Limestone)
Cantrell	Hain	Nettles	Turnham
Carr	Hankins	Paulk	Vacca
Casey	Hannah		

—86

And the bill:

H. 165. To apply in counties having populations of not less than 14,500 nor more than 14,900; regulating the compensation of the county superintendent of education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Burns	Edington	Holladay
Albea	Camp	Edwards (Escambia)	Ingram
Avery	Campbell (Jackson)	Edwards (Lowndes)	Jones (Covington)
Bailes	Campbell (Tuscaloosa)	Engel	Locke
Baker (DeKalb)	Cantrell	Faulk	McCorquodale
Bassett	Carr	Fields	McDermott
Bethea (M)	Casey	Gilmore	Mashburn
Bevill	Cates	Glass	Meeks
Blanton	Cook	Grouby	Merrill
Bolton	Cooper	Hain	Moore
Boston	Cornett	Hankins	Morrow
Bowers	Crawford	Hannah	Nabors
Branyon	Daniel	Harper	NeSmith
Brown (Jefferson)	Doggett	Heflin	Nettles
Brown (Tuscaloosa)	Downing	Hester	Paulk
Burnham	Drake	Hogan	Perry

Pierce	Rogers	Snell	Tuck
Posey	Salter	Steagall	Turner (Crenshaw)
Powell	Scurlock	Stembridge	Turner (Limestone)
Pruitt	Sessions	Sullivan	Turnham
Rast	Smith	Thomas	Vacca
Reynolds			

—85

And the bill:

H. 166. To apply in counties having populations of not less than 14,500 nor more than 14,900: To provide for filling vacancies in county offices.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hankins	Posey
Albea	Carr	Hannah	Powell
Avery	Casey	Harper	Pruitt
Bailes	Cook	Heflin	Rast
Baker (DeKalb)	Cooper	Hester	Reynolds
Barnett	Cornett	Hogan	Rogers
Bassett	Crawford	Holladay	Salter
Bethea (M)	Daniel	Ingram	Scurlock
Bevill	Doggett	Jones (Covington)	Sessions
Blanton	Downing	Locke	Smith
Bolton	Drake	McCorquodale	Snell
Boston	Edington	McDermott	Steagall
Bowers	Edwards (Escambia)	Mashburn	Stembridge
Branyon	Edwards (Lowndes)	Merrill	Sullivan
Brown (Jefferson)	Engel	Moore	Thomas
Brown (Tuscaloosa)	Faulk	Morrow	Tuck
Burnham	Fite	Nabors	Turner (Crenshaw)
Burns	Gilmore	NeSmith	Turner (Limestone)
Camp	Glass	Nettles	Turnham
Campbell (Jackson)	Grouby	Paulk	Vacca
Campbell (Tuscaloosa)	Hain	Perry	

—83

And the bill:

H. 167. Relating to counties having populations of not less than 14,400 nor more than 14,900, according to the last or any subsequent federal decennial census; providing further for the supervision, administration and control of the public schools; providing for the election and compensation of members of the board of education; and prescribing the duties of members of the board of education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Barnett	Bolton	Brown (Tuscaloosa)
Albea	Bassett	Boston	Burnham
Avery	Bethea (M)	Bowers	Burns
Bailes	Bevill	Branyon	Camp
Baker (DeKalb)	Blanton	Brown (Jefferson)	Campbell (Tuscaloosa)

Cantrell	Fields	McCorquodale	Reynolds
Carr	Fite	McDermott	Rogers
Casey	Gilmore	Mashburn	Salter
Cates	Glass	Meeks	Scurlock
Cook	Grouby	Merrill	Sessions
Cooper	Hain	Moore	Smith
Cornett	Hankins	Morrow	Snell
Crawford	Hannah	Nabors	Steagall
Daniel	Harper	NeSmith	Stembridge
Doggett	Heflin	Nettles	Sullivan
Downing	Hester	Paulk	Thomas
Drake	Hogan	Perry	Tuck
Edington	Holladay	Posey	Turner (Grenshaw)
Edwards (Escambia)	Ingram	Powell	Turner (Limestone)
Edwards (Lowndes)	Jones (Covington)	Pruitt	Turnham
Engel	Locke	Rast	Vacca
Faulk			

—85

And the bill:

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Paulk
Albea	Casey	Hankins	Perry
Avery	Cates	Hannah	Posey
Bailes	Cook	Harper	Powell
Baker (DeKalb)	Cooper	Heflin	Pruitt
Barnett	Cornett	Hester	Rast
Bassett	Crawford	Hogan	Reynolds
Bethea (M)	Daniel	Holladay	Rogers
Bevill	Doggett	Ingram	Salter
Blanton	Downing	Jones (Covington)	Scurlock
Bolton	Drake	Locke	Sessions
Boston	Edington	McCorquodale	Smith
Bowers	Edwards (Escambia)	McDermott	Steagall
Branyon	Edwards (Lowndes)	Mashburn	Stembridge
Brown (Jefferson)	Engel	Meeks	Sullivan
Brown (Tuscaloosa)	Faulk	Merrill	Thomas
Burnham	Fields	Moore	Tuck
Burns	Fite	Morrow	Turner (Grenshaw)
Camp	Gilmore	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	NeSmith	Turnham
Cantrell	Grouby	Nettles	Vacca

—84

And the bill:

H. 184. Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Pierce
Albea	Cates	Harper	Posey
Avery	Cook	Heflin	Powell
Baker (DeKalb)	Cooper	Hester	Pruitt
Barnett	Cornett	Hogan	Reynolds
Bassett	Crawford	Holladay	Rogers
Bethea (M)	Daniel	Ingram	Salter
Bevill	Doggett	Jones (Covington)	Scurlock
Blanton	Downing	Locke	Sessions
Bolton	Drake	McCorquodale	Smith
Boston	Edington	McDermott	Snell
Bowers	Edwards (Escambia)	Mashburn	Steagall
Branyon	Edwards (Lowndes)	Meeks	Stembridge
Brown (Jefferson)	Engel	Merrill	Sullivan
Brown (Tuscaloosa)	Fields	Moore	Thomas
Burnham	Fite	Morrow	Tuck
Burns	Gilmore	Nabors	Turner (Crenshaw)
Camp	Glass	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Nettles	Turnham
Cantrell	Hain	Paulk	Vacca
Carr	Hankins	Perry	

—83

And the bill:

H. 190. Relating to the Municipality of Hartselle, in Morgan County, Alabama: to alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Perry
Albea	Cook	Harper	Pierce
Avery	Cooper	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Barnett	Crawford	Hester	Pruitt
Bassett	Daniel	Hogan	Rast
Bethea (M)	Doggett	Holladay	Reynolds
Bevill	Downing	Ingram	Rogers
Blanton	Drake	Jones (Covington)	Salter
Bolton	Edington	Locke	Scurlock
Boston	Edwards (Escambia)	McCorquodale	Sessions
Bowers	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Mashburn	Snell
Brown (Jefferson)	Faulk	Meeks	Steagall
Brown (Tuscaloosa)	Fields	Merrill	Stembridge
Burnham	Fite	Moore	Sullivan
Burns	Gilmore	Morrow	Thomas
Camp	Glass	Nabors	Tuck
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Turner (Crenshaw)
Cantrell	Grouby	Nettles	Turner (Limestone)
Carr	Hain	Owens	Turnham
Casey	Hankins	Paulk	Vacca

—88

And the bill:

H. 191. Regulating further the office of circuit solicitor of the eighth judicial circuit of Alabama; amending Section 2 of Act No. 312, S. 215, Regular Session 1955 (Acts 1955, p. 710), relating to the solicitor's fund.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Perry
Albea	Cook	Harper	Pierce
Avery	Cooper	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Barnett	Crawford	Hester	Pruitt
Bassett	Daniel	Hogan	Rast
Bethea (M)	Doggett	Holladay	Reynolds
Bevill	Downing	Ingram	Rogers
Blanton	Drake	Jones (Covington)	Salter
Bolton	Edington	Locke	Scurlock
Boston	Edwards (Escambia)	McCorquodale	Sessions
Bowers	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Mashburn	Snell
Brown (Jefferson)	Faulk	Meeks	Steagall
Brown (Tuscaloosa)	Fields	Merrill	Stembridge
Burnham	Fite	Moore	Sullivan
Burns	Gilmore	Morrow	Thomas
Camp	Glass	Nabors	Tuck
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Turner (Crenshaw)
Cantrell	Grouby	Nettles	Turner (Limestone)
Carr	Hain	Owens	Turnham
Casey	Hankins	Paulk	Vacca
Cates			

—89

And the bill:

H. 194. To apply only in counties of the state having populations of not less than 100,000 nor more than 115,000; to further regulate the taking of fish from public streams and impounded waters.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Brown (Tuscaloosa)	Downing	Hain
Albea	Burnham	Drake	Hankins
Avery	Burns	Edington	Hannah
Baker (DeKalb)	Camp	Edwards (Escambia)	Harper
Barnett	Cantrell	Edwards (Lowndes)	Hawkins
Bassett	Carr	Engel	Heflin
Bethea (M)	Cates	Faulk	Hester
Bevill	Cook	Fields	Hogan
Blanton	Cooper	Fite	Holladay
Bolton	Cornett	Gilmore	Ingram
Boston	Crawford	Glass	Jones (Covington)
Branyon	Daniel	Goodwyn	Locke
Brown (Jefferson)	Doggett	Grouby	McCorquodale

McDermott	Owens	Reynolds	Stembridge
Mashburn	Paulk	Rogers	Sullivan
Meeks	Perry	Salter	Thomas
Merrill	Pierce	Scurlock	Tuck
Moore	Posey	Sessions	Turner (Crenshaw)
Morrow	Powell	Smith	Turner (Limestone)
Nabors	Pruitt	Snell	Turnham
NeSmith	Rast	Steagall	Vacca
Nettles			

—85

And the bill:

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cook	Hannah	Perry
Albea	Cooper	Harper	Pierce
Avery	Cornett	Hawkins	Posey
Baker (DeKalb)	Crawford	Heflin	Powell
Barnett	Daniel	Hester	Pruitt
Bassett	Doggett	Hogan	Rast
Bethea (M)	Dominick	Holladay	Reynolds
Bevill	Downing	Ingram	Rogers
Blanton	Drake	Jones (Covington)	Salter
Bolton	Edgington	Locke	Scurlock
Boston	Edwards (Escambia)	McCorquodale	Sessions
Bowers	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Mashburn	Snell
Brown (Jefferson)	Faulk	Meeks	Steagall
Brown (Tuscaloosa)	Fields	Merrill	Stembridge
Burnham	Fite	Moore	Sullivan
Burns	Gilmore	Morrow	Thomas
Camp	Glass	Nabors	Tuck
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Turner (Crenshaw)
Cantrell	Grouby	Nettles	Turner (Limestone)
Carr	Hain	Owens	Turnham
Cates	Hankins	Paulk	Vacca
Collins			

—89

And the bill:

H. 196. Relating to counties having a population of not less than 100,000 and not more than 115,000 inhabitants according to the latest or any succeeding Federal decennial census and providing for and further regulating the operation of child care in institutions in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Perry
Albea	Collins	Harper	Pierce
Avery	Cook	Hawkins	Posey
Baker (DeKalb)	Cooper	Heflin	Powell
Barnett	Cornett	Hester	Pruitt
Bassett	Crawford	Hogan	Rast
Bethea (M)	Daniel	Holladay	Reynolds
Bevill	Doggett	Ingram	Rogers
Blanton	Downing	Jones (Covington)	Salter
Bolton	Drake	Locke	Scurlock
Boston	Edgington	McCorquodale	Sessions
Bowers	Edwards (Escambia)	McDermott	Smith
Branyon	Edwards (Lowndes)	Mashburn	Snell
Brown (Jefferson)	Engel	Meeks	Steagall
Brown (Tuscaloosa)	Faulk	Merrill	Stembridge
Burnham	Fite	Moore	Sullivan
Burns	Gilmore	Morrow	Thomas
Callahan	Glass	Nabors	Tuck
Camp	Goodwyn	NeSmith	Turner (Crenshaw)
Cantrell	Grouby	Nettles	Turner (Limestone)
Carr	Hain	Owens	Turnham
Casey	Hankins	Paulk	Vacca

—88

And the bill:

H. 178. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Bevill	Burnham	Cates
Albea	Blanton	Burns	Collins
Avery	Bolton	Camp	Cook
Baker (DeKalb)	Boston	Campbell (Tuscaloosa)	Cooper
Barnett	Bowers	Cantrell	Cornett
Bassett	Branyon	Carr	Crawford
Bethea (M)	Brown (Jefferson)	Casey	Daniel

Doggett	Harper	Moore	Salter
Downing	Hawkins	Morrow	Scurlock
Drake	Heflin	Nabors	Sessions
Edington	Hester	NeSmith	Smith
Edwards (Escambia)	Hogan	Nettles	Snell
Edwards (Lowndes)	Holladay	Owens	Steagall
Engel	Ingram	Paulk	Stembridge
Faulk	Jones (Covington)	Perry	Sullivan
Gilmore	Locke	Pierce	Thomas
Glass	McCorquodale	Posey	Tuck
Grouby	McDermott	Powell	Turner (Crenshaw)
Hain	Mashburn	Pruitt	Turner (Limestone)
Hankins	Meeks	Reynolds	Turnham
Hannah	Merrill	Rogers	Vacca

—84

H. 28 POSTPONED

On motion of Mr. Nabors, consideration of the bill, H. 28, was postponed until the eighth legislative day.

BILLS ON THIRD READING RESUMED

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 9.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bolton	Burnham
Albea	Bassett	Boston	Burns
Avery	Bevill	Bowers	Callahan
Bailes	Blanton	Brown (Jefferson)	Camp

Campbell (Jackson)	Gilmore	Little	Rast
Cantrell	Glass	Locke	Reynolds
Cates	Goldthwaite	McCorquodale	Rogers
Collins	Goodwyn	McDermott	Salter
Cook	Grouby	Mashburn	Scurlock
Cooper	Hain	Meeks	Sessions
Crawford	Hankins	Merrill	Smith
Daniel	Hannah	Moore	Snell
Doggett	Harper	Nabors	Steagall
Downing	Hawkins	NeSmith	Stembridge
Drake	Heflin	Nettles	Sullivan
Edington	Hester	Owens	Thomas
Edwards (Escambia)	Hogan	Paulk	Tuck
Edwards (Lowndes)	Holladay	Pierce	Turner (Crenshaw)
Engel	Ingram	Posey	Turnham
Faulk	Jones (Covington)	Pruitt	Vacca
Fite	Jones (Monroe)		

—82

Nays:

Messrs.	Campbell (Tuscaloosa)	Morrow	Powell
Branyon	Casey	Perry	Turner (Limestone)
Brown (Tuscaloosa)	Dominick		

—9

And the bill:

H. 113. To amend Act No. 92 adopted at the Second Special Session of 1963 of the Legislature of Alabama to provide for the collection and distribution of the proceeds of the tax levied by the said act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 6.

Yeas:

Mr. Speaker	Cates	Hankins	Owens
Albea	Collins	Hannah	Paulk
Avery	Cook	Harper	Pierce
Bailes	Cooper	Hawkins	Posey
Baker (DeKalb)	Crawford	Heflin	Pruitt
Barnett	Daniel	Hester	Rast
Bassett	Doggett	Hogan	Reynolds
Bevill	Downing	Holladay	Rogers
Blanton	Drake	Ingram	Salter
Bolton	Edington	Jones (Covington)	Scurlock
Boston	Edwards (Escambia)	Jones (Monroe)	Sessions
Bowers	Edwards (Lowndes)	Little	Smith
Brown (Jefferson)	Engel	Locke	Snell
Brown (Tuscaloosa)	Faulk	McCorquodale	Steagall
Burnham	Fite	McDermott	Stembridge
Burns	Gilmore	Mashburn	Sullivan
Callahan	Glass	Merrill	Thomas
Camp	Goldthwaite	Moore	Tuck
Campbell (Jackson)	Goodwyn	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	NeSmith	Turnham
Cantrell	Hain	Nettles	Vacca

—84

Nays:

Messrs.	Casey	Perry	Turner (Limestone)
Branyon	Dominick	Powell	

—6

And the bill:

H. 145. To amend Section 29 of Title 34 of the Code of Alabama of 1940:

Was taken up.

Mr. Callahan offered the following amendment to the bill, H. 145:

Amend H. B. 145 by striking Section 3 and inserting in lieu thereof the following:

"Section 3. Upon the passage of this Act and approval by the Governor, any lawyer subject to disciplinary action by any Court or Bar Association by virtue of any alleged violation of rules of such Court or Bar Association as to residency requirements for obtaining a divorce in Alabama shall have an automatic right of reinstatement to the active practice of law in Alabama."

Also, amend H. B. 145 by adding the following:

"Section 4. This Act shall take effect immediately upon its passage and approval by the Governor."

On motion of Mr. Branyon the amendment offered by Mr. Callahan was laid upon the table.

Yeas 62; Nays 15.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Hankins	NeSmith
Albea	Carr	Hannah	Nettles
Bailes	Casey	Hawkins	Owens
Baker (DeKalb)	Cates	Heflin	Paulk
Barnett	Collins	Hogan	Perry
Bassett	Cooper	Holladay	Pierce
Bethea (M)	Cornett	Ingram	Pruitt
Bevill	Crawford	Jones (Covington)	Rogers
Blanton	Daniel	Jones (Monroe)	Scurlock
Bolton	Dominick	Little	Sessions
Boston	Downing	McDermott	Snell
Branyon	Edington	Mashburn	Stembridge
Burnham	Gilmore	Meeks	Thomas
Burns	Glass	Morrow	Turner (Limestone)
Camp	Goodwyn	Nabors	Vacca
Campbell (Jackson)	Hain		

—62

Nays:

Messrs.	Etheredge	Posey	Steagall
Callahan	Grouby	Powell	Sullivan
Cook	Hester	Salter	Turner (Crenshaw)
Edwards (Escambia)	Moore	Smith	Turnham

—15

On motion of Mr. Bolton, further consideration of the bill, H. 145, was postponed until the next legislative day.

Yeas 48; Nays 38.

Yeas:

Messrs.	Barnett	Bolton	Brown (Tuscaloosa)
Albea	Bassett	Boston	Burns
Avery	Blanton	Brown (Jefferson)	Callahan

Camp	Edwards (Escambia)	Locke	Scurlock
Campbell (Jackson)	Etheredge	Meeks	Sessions
Campbell (Tuscaloosa)	Glass	Moore	Smith
Carr	Hankins	Morrow	Steagall
Collins	Hannah	NeSmith	Stembridge
Cook	Harper	Paulk	Sullivan
Cooper	Hogan	Powell	Thomas
Cornett	Holladay	Reynolds	Tuck
Crawford	Ingram	Salter	Turnham
Drake			

—48

Nays:

Mr. Speaker	Dominick	Heflin	Perry
Bailes	Downing	Jones (Covington)	Pierce
Baker (DeKalb)	Edington	Jones (Monroe)	Posey
Bethea (M)	Edwards (Lowndes)	Little	Pruitt
Burnham	Engel	McDermott	Rast
Cantrell	Fite	Mashburn	Rogers
Casey	Goldthwaite	Merrill	Snell
Cates	Goodwyn	Nabors	Turner (Crenshaw)
Daniel	Grouby	Nettles	Turner (Limestone)
Doggett	Hain		

—38

And the bill:

H. 188. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 130,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit, but shall be payable from the benefits secured for, or on behalf of the persons for whose benefit any such suit was successfully prosecuted; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Perry
Albea	Crawford	Heflin	Pierce
Avery	Daniel	Hester	Posey
Baker (DeKalb)	Doggett	Hogan	Powell
Barnett	Dominick	Holladay	Pruitt
Bassett	Downing	Jones (Covington)	Rast
Bevill	Drake	Jones (Monroe)	Reynolds
Blanton	Edington	Little	Rogers
Boston	Edwards (Escambia)	Locke	Scurlock
Bowers	Edwards (Lowndes)	McCorquodale	Sessions
Brown (Jefferson)	Engel	McDermott	Smith
Burnham	Faulk	Mashburn	Snell
Camp	Gilmore	Meeks	Steagall
Campbell (Jackson)	Glass	Merrill	Stembridge
Cantrell	Goldthwaite	Moore	Sullivan
Carr	Goodwyn	Morrow	Tuck
Casey	Grouby	Nabors	Turner (Crenshaw)
Cates	Hain	NeSmith	Turner (Limestone)
Collins	Hankins	Nettles	Turnham
Cook	Hannah	Owens	Vacca
Cooper	Harper	Paulk	

—83

And the bill:

H. 17. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Casey	Harper	Pierce
Albea	Cates	Hawkins	Posey
Avery	Collins	Heflin	Powell
Bailes	Cook	Hester	Rast
Baker (DeKalb)	Cooper	Hogan	Reynolds
Barnett	Crawford	Holladay	Rogers
Bassett	Daniel	Jones (Covington)	Salter
Bevill	Doggett	Locke	Scurlock
Blanton	Dominick	McCorquodale	Sessions
Bolton	Downing	McDermott	Smith
Boston	Drake	Mashburn	Snell
Bowers	Edington	Meeks	Steagall
Brown (Jefferson)	Edwards (Escambia)	Merrill	Stembridge
Burnham	Edwards (Lowndes)	Moore	Sullivan
Burns	Engel	Nabors	Thomas
Callahan	Etheredge	NeSmith	Tuck
Camp	Fields	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Fite	Owens	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	Paulk	Turnham
Cantrell	Glass	Perry	Vacca
Carr	Goldthwaite		

—82

And the bill:

H. 135. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 14.

Yeas:

Mr. Speaker	Doggett	Little	Pruitt
Albea	Downing	Locke	Reynolds
Bailes	Drake	McCorquodale	Rogers
Baker (DeKalb)	Edington	McDermott	Scurlock
Bassett	Edwards (Escambia)	Mashburn	Sessions
Bevill	Edwards (Lowndes)	Meeks	Smith
Brown (Jefferson)	Engel	Merrill	Snell
Brown (Tuscaloosa)	Fite	Moore	Steagall
Camp	Goldthwaite	Nabors	Stembridge
Campbell (Jackson)	Grouby	NeSmith	Sullivan
Campbell (Tuscaloosa)	Hain	Nettles	Thomas
Cantrell	Hannah	Owens	Tuck
Carr	Hester	Paulk	Turner (Crenshaw)
Collins	Hogan	Perry	Turner (Limestone)
Cook	Jones (Covington)	Pierce	Turnham
Cornett	Jones (Monroe)	Posey	Vacca
Daniel			

—65

Nays:

Messrs.	Branyon	Cates	Heflin
Avery	Burnham	Dominick	Powell
Barnett	Callahan	Hankins	Salter
Bethea (M)	Casey	Hawkins	

—14

And the bill:

H. 136. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Was taken up.

Mr. Engel offered the following substitute for the bill, H. 136:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1, 2, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to authorize such boards to finance, as projects thereunder, research enterprises; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama shall be and hereby is amended to read as follows:

"Section 1. Definitions. Wherever used in this act, unless a different meaning clearly appears in the context, the following terms, whether used in the singular or plural, shall be given the following respective interpretations: "Corporation" means any corporation organized pursuant to the provisions of this act. "Municipality" means any incorporated city or town in this state with respect to which a corporation may be organized. "Project" means any land and any building or other improvement thereon, and all real and personal properties deemed necessary in connection therewith, whether or not now in existence, which shall be suitable for use by the following or by any combination of two or more thereof: any industry for the manufacturing, processing or assembling of any agricultural, manufactured or mineral products; and any commercial enterprise in storing, warehousing, distributing or selling any products of agriculture, mining, or industry; and any enterprise for research in connection with any of the foregoing, or for the purpose of developing new products or new processes, or improving existing products or known processes, or for the purpose of aiding in the development of facilities for the exploration of outer space or promoting the national defense; but does not include facilities designed for the sale or distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities. "Governing body" means the board or body in which the general legislative powers of the municipality are vested."

Section 2. Section 2 of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama (1949 Acts, p. 991) as heretofore amended, is hereby amended so that the said section shall read as follows:

"Section 2. Legislative Intent. It is the intent of the Legislature by the passage of this act to authorize the incorporation in the several municipalities in this state of public corporations to acquire, enlarge, improve, expand, own, lease, and dispose of properties to the end that such corporations may be able to promote industry and develop trade by inducing manufacturing, industrial, commercial and research enterprises to locate in this state, or to enlarge and expand existing enterprises, or both, and further the use of the agricultural products and natural resources of this state, and to vest such corporations with all powers that may be necessary to enable them to accomplish such purposes. It is not intended hereby that any such corporation shall itself be authorized to operate any such manufacturing, industrial or commercial enterprise. This act shall be liberally construed in conformity with the said intention."

Section 3. Section 8 of said Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, shall be and hereby is further amended to read as follows:

"Section 8. Corporate powers. The corporation shall have the following powers together with all powers incidental thereto or necessary for the performance of those hereinafter stated: (1) to have succession by its corporate name for the period specified in the certificate of incorporation unless sooner dissolved as hereinafter provided; (2) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties; (3) to have and to use a corporate seal and to alter the same at pleasure; (4) to acquire whether by purchase, construction, exchange, gift, lease, or otherwise, and to improve, maintain, equip and furnish one or more projects, including all real and personal properties which the board of directors of the corporation may deem necessary in connection therewith and regardless of whether or not any such projects shall then be in existence; (5) to lease to others any or all of its projects and to charge and collect rent therefor and to terminate any such lease upon the failure of the lessee to comply with any of the obligations thereof; (6) to sell, exchange, donate, and convey, any or all of its properties whenever its board of directors shall find any such action to be in furtherance of the purposes for which the corporation was organized; (7) to issue its bonds for the purpose of carrying out any of its powers; (8) as security for the payment of the principal of and interest on any bonds so issued and any agreements made in connection therewith, to mortgage and pledge any or all of its projects or any part or parts thereof, whether then owned or thereafter acquired, and to pledge the revenues and receipts therefrom or from any thereof; and (9) to employ and pay compensation to such employees and agents, including attorneys, as the board of directors shall deem necessary for the business of the corporation. Any projects or projects of the corporation may be located within or without or partially within or partially without the municipality, subject to the following conditions: (a) no such project or part thereof shall be located more than twenty-five miles from the corporate limits of the municipality; (b) in no event shall any project or part thereof be located within the corporate limits of another city or town in this state; (c) no such project or part thereof shall be located within the police jurisdiction of another city or town in this state unless the governing body of such other city or town has first adopted a resolution consenting to the location of such project or part thereof in the police jurisdiction of such city or town; and (d) no such project or part thereof shall be located in a county other than that (or those) in which

the municipality (or part thereof) is situated unless the court of county commissioners, board of revenue or other governing body of such other county has first adopted a resolution consenting to the location of such project or part thereof in such county. The corporation shall not have any power to operate any project as a business other than as a lessor. Any meeting held by the Board of Directors for any purpose whatsoever shall be open to the public."

Section 4. Section 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama shall be and hereby is amended to read as follows:

"Section 9. Bonds of the corporation. All bonds issued by the corporation shall be payable solely out of the revenues and receipts derived from the leasing or sale by the corporation of its projects or of any thereof as may be designated in the proceedings of the board of directors under which the bonds shall be authorized to be issued. Such bonds may be executed and delivered by the corporation at any time and from time to time, may be in such form and denominations and of such tenor and maturities, may be in registered or bearer form either as to principal or interest or both, may be payable in such installments and at such time or times not exceeding forty years from the date thereof, may be payable at such place or places whether within or without the State of Alabama, may bear interest at such rate or rates payable at such time or times and at such place or places and evidenced in such manner, may be executed by such officers of the corporation and in such manner, and may contain such provisions not inconsistent herewith, all as shall be provided in the proceedings of the board of directors whereunder the bonds shall be authorized to be issued. If deemed advisable by the board of directors, there may be retained in the proceedings under which any bonds of the corporation are authorized to be issued an option to redeem all or any part thereof as may be specified in such proceedings, at such price or prices and after such notice or notices and on such terms and conditions as may be set forth in such proceedings and as may be briefly recited in the face of the bonds, but nothing herein contained shall be construed to confer on the corporation any right or option to redeem any bonds except as may be provided in the proceedings under which they shall be issued. Any bonds of the corporation may be sold at public or private sale in such manner and from time to time as may be determined by the board of directors of the corporation to be most advantageous, and the corporation may pay all expenses, premiums and commissions which its board of directors may deem necessary or advantageous in connection with the issuance thereof. Issuance by the corporation of one or more series of bonds for one or more purposes shall not preclude it from issuing other bonds in connection with the same project or any other project, but the proceedings whereunder any subsequent bonds may be issued shall recognize and protect any prior pledge or mortgage made for any prior issue of bonds unless in the proceedings authorizing such prior issue the right was reserved to issue subsequent bonds on a parity with such prior issue. Any bonds of the corporation at any time outstanding may at any time and from time to time be refunded by the corporation by the issuance of its refunding bonds in such amount as the board of directors may deem necessary but not exceeding an amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any premiums and commissions necessary to be paid in connection therewith. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by the exchange of the refunding bonds for the bonds to be refunded thereby with the consent of the holders of the bonds so to be refunded, and regardless of whether or not the bonds to be refunded were issued in connection with the

same projects or separate projects, and regardless of whether or not the bonds proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise. All such bonds and the interest coupons applicable thereto are hereby made and shall be construed to be negotiable instruments."

Section 5. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Perry
Avery	Collins	Hannah	Pierce
Bailes	Cook	Harper	Posey
Barnett	Cooper	Heflin	Powell
Bassett	Cornett	Hester	Pruitt
Bevill	Crawford	Hogan	Reynolds
Blanton	Daniel	Holladay	Rogers
Bolton	Doggett	Ingram	Salter
Boston	Dominick	Jones (Covington)	Scurlock
Bowers	Downing	Locke	Sessions
Brown (Jefferson)	Drake	McCorquodale	Smith
Brown (Tuscaloosa)	Edington	McDermott	Steagall
Burnham	Edwards (Escambia)	Mashburn	Stembridge
Burns	Edwards (Lowndes)	Meeks	Sullivan
Callahan	Engel	Moore	Thomas
Camp	Faulk	Morrow	Tuck
Campbell (Jackson)	Fields	Nabors	Turner (Crenshaw)
Cantrell	Fite	NeSmith	Turner (Limestone)
Carr	Glass	Nettles	Turnham
Casey	Goldthwaite	Owens	Vacca

—80

And said bill H. 136, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 2.

Yeas:

Mr. Speaker	Cates	Hannah	Paulk
Avery	Collins	Harper	Perry
Bailes	Cook	Heflin	Pierce
Baker (DeKalb)	Cooper	Hester	Posey
Barnett	Crawford	Hogan	Powell
Bassett	Daniel	Holladay	Pruitt
Bevill	Doggett	Ingram	Reynolds
Bolton	Dominick	Jones (Covington)	Rogers
Boston	Downing	Little	Salter
Bowers	Drake	Locke	Scurlock
Branyon	Edington	McCorquodale	Smith
Brown (Jefferson)	Edwards (Escambia)	McDermott	Steagall
Brown (Tuscaloosa)	Edwards (Lowndes)	Mashburn	Stembridge
Burnham	Engel	Meade	Sullivan
Burns	Faulk	Meeks	Tuck
Callahan	Fields	Moore	Turner (Crenshaw)
Camp	Fite	Morrow	Turner (Limestone)
Campbell (Jackson)	Gilmore	Nabors	Turnham
Cantrell	Glass	Nettles	Vacca
Casey	Hankins	Owens	

—79

Nays: Messrs. Bethea (M) and Campbell (Tuscaloosa)

—2

UNANIMOUS CONSENTS GRANTED

Mr. Jones (Covington) requested unanimous consent to add his name as a co-author of the bill, H. 136, and it was so granted.

Mr. Edwards (Escambia) requested unanimous consent to add his name as a co-author of the bill, H. 136, and it was so granted.

RESOLUTION

The following resolution was introduced:

By Messrs. McCorquodale and Callahan:

H. J. R. 29. WHEREAS Earl Lee Tucker, Clarke County's most famous and beloved citizen passed away at his home in Thomasville on April 7th, 1964 after a long and painful illness which he bore with courage and simple dignity to the end; and

WHEREAS Earl Tucker was known throughout the world for his humorous column, "Rambling Roses and Flying Bricks" which he wrote for thirty years and which appeared in more than forty newspapers and magazines. He had also published three books: *How Not to Worry About The Love Life of A Spider*, *All The Nuts Are Not on Trees*, and one bearing the same title as his newspaper column. Mr. Tucker who was editor-publisher of the Thomasville Times from 1926 until he sold it in 1959, was a journalist's journalist, and highly respected in his field; and

WHEREAS Mr. Tucker was a most popular after-dinner speaker whose wit and humor were frequently compared to that of the late Will Rogers because of his ability to poke subtle and kindly fun at troublesome situations and pompous persons. His good natured spoofing of people and the times served as gentle reminders of the need to place persons and events in their proper perspective. He was a man of simple taste and straight-forward words, but was yet a deep thinker with the rare ability to simplify and reduce a problem to its lowest common denominator.

WHEREAS Earl Tucker, son of families long prominent in Alabama, his mother having been Mrs. Lula Hall Tucker and his father the late Major A. B. Tucker, editor and publisher of the Thomasville Times, and one time city editor of the Montgomery Advertiser, has carried on the tradition of his forebears. Earl Tucker himself was an outstanding citizen who contributed greatly to his town and county by his able services as a representative in the state legislature for fourteen years, as chairman of the Clarke County Democratic Executive Committee, and as chairman of the City Parks and Recreation Board. He worked diligently and tirelessly for the construction of the Thomasville Hospital which was the culmination of his dream, and was the first and only chairman of the hospital board until his death. He was a member of Thomasville Baptist Church; Sigma Delta Chi, professional journalism fraternity; was a Mason, a Shriner, and a Rotarian; served as State Easter Seal Chairman in 1958; was Head Consul for the Woodmen of the World in Alabama in 1962-1963; was selected as the Thomasville School's most outstanding alumnus in 1962; was a member of the Alabama Wildlife Federation; and was an ardent sportsman who in concern for the youth of his community left in trust a sum for the development and perpetuation of baseball in his home town.

WHEREAS Earl Tucker was a man of many talents who contributed much to his state and to his community, who never shunned responsi-

bility, but rather spear-headed numerous worthwhile endeavors, perhaps his greatest contribution was in being himself. He loved nature and he loved people. It may be said that he knew how to live, and by so living made this a better world for a host of friends who mourn his loss; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body expresses its deepest sorrow upon the passing of Earl Tucker, our beloved friend and former colleague and extends its sincere sympathy to his family.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mr. Tucker's brothers, Mr. Edwin Tucker of Moundville and Mr. Arthur Tucker of Birmingham, and the Thomasville Times, Thomasville, Alabama.

On motion of Mr. McCorquodale the rules were suspended and H. J. R. 29 was adopted.

UNANIMOUS CONSENT GRANTED

Mr. McCorquodale requested unanimous consent to add the names of Messrs. Pruitt, Bowers, Faulk, Hankins, Barnett, Thomas, Fields, Daniels, Nettles, Jones (Monroe), Bassett, Smith, Glass, Edwards (Escambia), Mashburn, Doggett, Hawkins, Crawford, Salter, Locke and Avery as co-authors of the House Joint Resolution No. 29, and it was so granted.

H. 159 POSTPONED

On motion of Mr. Camp, consideration of the bill, H. 159, was postponed until the next legislative day.

H. 138 POSTPONED

On motion of Mr. Rogers, consideration of the bill, H. 138, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 92. TO PROVIDE THAT ANY CITY OR TOWN IN THE STATE HAVING A COMMISSION FORM OF GOVERNMENT MAY COME WITHIN AND BE GOVERNED BY THE PROVISIONS OF THIS ACT UPON THE ADOPTION AND PUBLICATION OF AN ORDINANCE BY THE GOVERNING BODY THEREOF ELECTING SO TO DO; TO PROVIDE THAT THE MEMBERS OF THE GOVERNING BODY SERVING AT THE TIME OF THE ADOPTION OF SUCH ORDINANCE SHALL CONTINUE TO SERVE UNTIL THE QUALIFICATION OF THEIR SUCCESSORS; TO PROVIDE THAT ALL LAWS, ORDINANCES, RESOLUTIONS, AND APPOINTMENTS IN FORCE WHEN THE MUNICIPALITY COMES UNDER THIS ACT SHALL REMAIN IN FORCE UNTIL REPEALED OR ALTERED; TO PROVIDE FOR THE ELECTION AND TERM OF OFFICE OF COMMISSIONERS; TO ESTABLISH THE QUALIFICATIONS OF CANDIDATES FOR COMMISSIONERS POSITIONS; TO PROVIDE FOR THE DISTRIBUTION OF THE POWERS OF THE MUNICIPALITY AMONG THE COMMISSIONERS; TO PROVIDE FOR MEETINGS OF THE BOARD OF COMMISSIONERS AND THE MANNER OF ADOPTING ORDINANCES AND RESOLUTIONS; TO PROVIDE THAT NO FRANCHISE, LEASE OR RIGHT SHALL BECOME EFFECTIVE UNTIL THIRTY DAYS AFTER THE GRANTING THEREOF; TO PROVIDE FOR THE ELECTION OF A RECORDER; TO REQUIRE THE POSTING OF A BOND BY COMMISSIONERS; TO PROHIBIT COMMISSIONERS FROM

HOLDING OTHER PUBLIC OFFICES; TO PROHIBIT ANY COMMISSIONER, OFFICER OR EMPLOYEE OF THE MUNICIPALITY FROM HAVING ANY INTEREST IN ANY CONTRACT WITH THE MUNICIPALITY; TO BAR PERSONS RELATED TO ANY COMMISSIONER FROM HOLDING PUBLIC OFFICE; TO PROVIDE PUNISHMENT FOR VIOLATION OF SUCH PROHIBITIONS; TO REQUIRE THE PUBLICATION OF FINANCIAL REPORTS OF THE MUNICIPALITY; TO PROVIDE FOR THE FILLING OF ANY VACANCIES THAT MAY OCCUR IN THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE SALARIES OF COMMISSIONERS AND OTHER DISBURSEMENTS OF THE MUNICIPALITY; TO PROVIDE THAT MEETINGS OF THE BOARD OF COMMISSIONERS SHALL BE OPEN TO THE PUBLIC; TO PROVIDE A MANNER FOR CHANGING THE FORM OF GOVERNMENT OF THE MUNICIPALITY; TO PROVIDE FOR THE PRESENTATION OF A PETITION CALLING FOR THE RESIGNATION OF A COMMISSIONER, AND TO ESTABLISH REQUIREMENTS FOR THE SIGNING THEREOF; TO PROVIDE A FEE FOR THE JUDGE OF PROBATE FOR EXAMINING SUCH PETITION; TO PROVIDE A PENALTY FOR VIOLATION OF THE RESTRICTIONS ON SIGNING SUCH PETITION; TO PROVIDE FOR AN ELECTION TO RECALL A COMMISSIONER AND FOR THE ELECTION OF HIS SUCCESSOR; AND TO STATE THE METHOD FOR ASCERTAINING QUALIFIED VOTERS IN MUNICIPALITIES SITUATED IN MORE THAN ONE COUNTY.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Pierce
Bailes	Crawford	Heflin	Posey
Bassett	Daniel	Hester	Powell
Bethea (M)	Doggett	Hogan	Pruitt
Bevill	Dominick	Holladay	Rast
Blanton	Downing	Ingram	Reynolds
Bolton	Drake	Jones (Covington)	Rogers
Boston	Edington	Jones (Monroe)	Salter
Bowers	Edwards (Escambia)	Little	Scurlock
Burnham	Edwards (Lowndes)	Mashburn	Sessions
Burns	Etheredge	Meade	Smith
Callahan	Faulk	Meeks	Steagall
Campbell (Jackson)	Fields	Moore	Stembridge
Cantrell	Gilmore	Nabors	Sullivan
Carr	Glass	NeSmith	Tuck
Casey	Grouby	Nettles	Turner (Crenshaw)
Cates	Hain	Owens	Turner (Limestone)
Collins	Hankins	Paulk	Turnham
Cook	Hannah	Perry	Vacca
Cooper			

—77

And the bill:

H. 91. To amend Sections 773 and 778 of Title 37, Code of Alabama, relating to the publication of zoning ordinances; providing that any zoning ordinance heretofore published in accordance with the provisions of this Act shall be deemed to have been lawfully published.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hogan	Pierce
Bailes	Daniel	Holladay	Posey
Barnett	Doggett	Ingram	Powell
Bassett	Dominick	Jones (Covington)	Pruitt
Bethea (M)	Downing	Jones (Monroe)	Rast
Bevill	Drake	Little	Reynolds
Blanton	Edington	McCorquodale	Rogers
Bolton	Edwards (Escambia)	McDermott	Salter
Boston	Edwards (Lowndes)	Meade	Scurlock
Bowers	Gilmore	Meeks	Sessions
Branyon	Glass	Moore	Smith
Brown (Jefferson)	Goodwyn	Morrow	Stembridge
Burns	Grouby	Nabors	Sullivan
Cantrell	Hain	NeSmith	Tuck
Carr	Hannah	Nettles	Turner (Crenshaw)
Casey	Hawkins	Owens	Turner (Limestone)
Cates	Heflin	Paulk	Turnham
Collins	Hester	Perry	Vacca
Cooper			

—73

And the bill:

H. 106. To amend the title to and Sections 1 and 2 of Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Perry
Albea	Collins	Hawkins	Pierce
Avery	Cook	Heflin	Posey
Bailes	Cooper	Hester	Powell
Barnett	Cornett	Holladay	Pruitt
Bassett	Crawford	Ingram	Rast
Bevill	Daniel	Jones (Covington)	Reynolds
Blanton	Doggett	Jones (Monroe)	Rogers
Bolton	Downing	Little	Salter
Boston	Drake	McCorquodale	Scurlock
Bowers	Edington	Mashburn	Smith
Branyon	Edwards (Escambia)	Meade	Snell
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Stembridge
Burnham	Faulk	Moore	Sullivan
Burns	Gilmore	Morrow	Tuck
Camp	Glass	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	Nettles	Turnham
Campbell (Tuscaloosa)	Grouby	Owens	Vacca
Cantrell	Hain	Paulk	

—75

And the bill:

H. 107. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Carr	Hannah	Paulk
Albea	Collins	Harper	Perry
Avery	Cook	Heflin	Pierce
Bailes	Cooper	Hester	Posey
Barnett	Daniel	Holladay	Powell
Bassett	Doggett	Ingram	Pruitt
Bevill	Downing	Jones (Covington)	Rast
Blanton	Drake	Jones (Monroe)	Reynolds
Bolton	Edington	Little	Rogers
Boston	Edwards (Escambia)	McCorquodale	Salter
Branyon	Edwards (Lowndes)	McDermott	Scurlock
Brown (Jefferson)	Engel	Mashburn	Smith
Brown (Tuscaloosa)	Faulk	Meade	Snell
Burnham	Fite	Meeks	Stembridge
Burns	Gilmore	Moore	Sullivan
Camp	Glass	Morrow	Tuck
Campbell (Jackson)	Goodwyn	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Nettles	Turnham
Cantrell	Hain	Owens	Vacca

—76

H. 36 POSTPONED

On motion of Mr. Avery, consideration of the bill, H. 36, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 156. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees thereof; authorizing revocation of certificates; providing for expenditures of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 2.

Yeas:

Mr. Speaker	Bolton	Doggett	Grouby
Albea	Boston	Dominick	Hain
Avery	Burnham	Drake	Hannah
Bailes	Burns	Edington	Harper
Baker (DeKalb)	Camp	Edwards (Escambia)	Hester
Barnett	Cook	Edwards (Lowndes)	Hogan
Bassett	Cornett	Faulk	Holladay
Bethea (M)	Crawford	Gilmore	Ingram
Blanton	Daniel	Glass	Jones (Covington)

Little	Nabors	Powell	Steagall
McDermott	NeSmith	Reynolds	Thomas
Mashburn	Nettles	Salter	Tuck
Meade	Owens	Scurlock	Turner (Crenshaw)
Merrill	Paulk	Smith	Turnham
Moore	Pierce	Snell	Vacca

—60

Nays: Messrs. Morrow and Perry

—2

RESOLUTION

The following resolution was introduced:

By Mr. Cates:

H. J. R. 30. WHEREAS the death of Mr. T. R. Nash, on August 11, 1964 ended the long and distinguished career of a beloved and highly esteemed veteran county commissioner; and

WHEREAS Mr. Nash served forty consecutive years of service in public office as a commissioner for district 3, which fact attests to his popularity and business acumen in this position of public trust. During the span of years Mr. Nash was in office, Shelby County came to the forefront in county government in Alabama. A fine system of highways and roads has been developed and well constructed public buildings mark the progress that has been made in the county. Much of the success of a sound and responsible county government is the result of the wisdom and good judgment of Mr. Nash. His ability, his interest and his strict integrity, combined with a good sense of humor made him a valuable public official; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mr. Nash, and extend our sincere sympathy to Mrs. Nash to whom a copy of this resolution shall be sent.

On motion of Mr. Cates the rules were suspended and H. J. R. 30, was adopted.

BILLS ON THIRD READING RESUMED

H. 168. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Bowers	Downing	Goldthwaite
Albea	Branyon	Edington	Goodwyn
Bailes	Brown (Jefferson)	Edwards (Escambia)	Grouby
Baker (DeKalb)	Burnham	Edwards (Lowndes)	Hain
Barnett	Callahan	Engel	Hankins
Bassett	Camp	Faulk	Hannah
Bevill	Campbell (Tuscaloosa)	Fields	Heflin
Blanton	Cook	Fite	Hester
Bolton	Crawford	Gilmore	Hogan
Boston	Dominick	Glass	Holladay

Ingram	Moore	Rast	Steagall
Jones (Covington)	Nabors	Reynolds	Sullivan
Jones (Monroe)	NeSmith	Rogers	Thomas
Locke	Nettles	Salter	Tuck
McCorquodale	Owens	Scurlock	Turner (Crenshaw)
McDermott	Paulk	Sessions	Turner (Limestone)
Mashburn	Perry	Smith	Turnham
Meade	Powell	Snell	Vacca
Meeks			

—73

UNANIMOUS CONSENT GRANTED

Mr. Turnham requested unanimous consent to add his name as a co-author of the bill, H. 168, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 170. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cook	Hawkins	Perry
Albea	Cooper	Heflin	Posey
Avery	Crawford	Hester	Powell
Bailes	Dominick	Hogan	Pruitt
Baker (DeKalb)	Downing	Holladay	Rast
Barnett	Drake	Ingram	Reynolds
Bassett	Edington	Jones (Covington)	Rogers
Bevill	Edwards (Escambia)	Jones (Monroe)	Salter
Blanton	Edwards (Lowndes)	Locke	Scurlock
Bolton	Engel	McCorquodale	Sessions
Boston	Faulk	McDermott	Smith
Bowers	Fields	Mashburn	Snell
Branyon	Fite	Meade	Steagall
Brown (Jefferson)	Gilmore	Meeks	Stembridge
Brown (Tuscaloosa)	Glass	Merrill	Sullivan
Burnham	Goldthwaite	Moore	Thomas
Burns	Goodwyn	Morrow	Tuck
Callahan	Grouby	Nabors	Turner (Crenshaw)
Camp	Hain	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Hankins	Nettles	Turnham
Cantrell	Hannah	Owens	Vacca
Cates	Harper	Paulk	

—87

RESOLUTION

The following resolution was introduced:

By Mr. Salter:

H. R. 31. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we note with deep regret the incapacity of our colleague, the Honorable Member from Washington,

J. Emmett Wood, who is now convalescing from serious surgery; we extend to him warm greetings and best wishes for a speedy and complete recovery.

On motion of Mr. Salter the rules were suspended and H. R. 31 was adopted.

UNANIMOUS CONSENT GRANTED

Mr. McCorquodale requested unanimous consent to add the names of Messrs: Albea, Avery, Bailes, Baker (DeKalb), Baker (Madison), Barnett, Bassett, Bethea (B), Bethea (M), Bevill, Blanton, Bolton, Boston, Bowers, Branyon, Brewer, Brown (Jefferson), Brown (Tuscaloosa), Burnham, Burns, Callahan, Camp, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Carr, Casey, Cates, Collins, Cook, Cooper, Cornett, Crawford, Daniel, Davis, Doggett, Dominick, Downing, Drake, Edington, Edwards (Escambia), Edwards (Lowndes), Engel, Etheredge, Faulk, Fields, Fite, Gilmore, Glass, Goldthwaite, Goodwyn, Grouby, Hain, Hankins, Hannah, Harper, Hawkins, Heflin, Hester, Hogan, Holladay, Ingram, Jones (Covington), Jones (Monroe), Little, Locke, McCorquodale, McDermott, Mashburn, Meade, Meeks, Merrill, Moore, Morrow, Nabors, NeSmith, Nettles, Owens, Paulk, Pennington, Perry, Pierce, Posey, Powell, Pruitt, Rast, Reynolds, Rogers, Scurlock, Sessions, Slate, Smith, Snell, Steagall, Stembridge, Sullivan, Teel, Thomas, Tuck, Turner (Crenshaw), Turner (Limestone), Turnham, Vacca, Young.

as co-authors of the resolution, H. R. 31, and it was so granted.

BILLS POSTPONED

On motion of Mr. Casey, consideration of the bills, H. 15 and H. 16, was postponed until the eighth legislative day.

BILLS ON THIRD READING RESUMED

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Grouby	Meeks
Albea	Cantrell	Hain	Merrill
Avery	Collins	Hankins	Moore
Bailes	Cook	Hannah	Morrow
Baker (DeKalb)	Cooper	Hawkins	Nabors
Barnett	Crawford	Heflin	NeSmith
Bassett	Daniel	Hester	Nettles
Bevill	Dominick	Hogan	Owens
Bolton	Edington	Holladay	Paulk
Boston	Edwards (Escambia)	Jones (Covington)	Perry
Bowers	Edwards (Lowndes)	Jones (Monroe)	Pierce
Branyon	Engel	Little	Posey
Brown (Jefferson)	Faulk	Locke	Powell
Brown (Tuscaloosa)	Fite	McCorquodale	Pruitt
Burnham	Gilmore	McDermott	Rast
Camp	Glass	Mashburn	Reynolds
Campbell (Jackson)	Goldthwaite	Meade	Rogers

Salter
Scurlock
Smith

Snell
Steagall
Stembridge

Sullivan
Tuck

Turnham
Vacca

—78

And the bill:

H. 181. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cook	Heflin	Pierce
Albea	Cooper	Hester	Posey
Avery	Crawford	Hogan	Powell
Bailes	Daniel	Jones (Covington)	Pruitt
Barnett	Dominick	Jones (Monroe)	Rast
Bassett	Downing	Little	Reynolds
Bethea (M)	Edington	McCorquodale	Rogers
Bevill	Edwards (Lowndes)	McDermott	Salter
Bolton	Etheredge	Mashburn	Scurlock
Boston	Faulk	Meade	Sessions
Bowers	Fite	Meeks	Smith
Branyon	Gilmore	Moore	Snell
Brown (Jefferson)	Glass	Morrow	Steagall
Burns	Goldthwaite	Nabors	Stembridge
Camp	Grouby	NeSmith	Sullivan
Campbell (Jackson)	Hain	Nettles	Thomas
Campbell (Tuscaloosa)	Hankins	Owens	Tuck
Cantrell	Hannah	Paulk	Turnham
Cates	Hawkins	Perry	Vacca

—76

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:25 A. M. On August 13, 1964

H. J. R. 18.

H. J. R. 19.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Edwards (Escambia), the House adjourned until Friday, August 14, 1964, at ten o'clock, A. M.

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Friday, August 14, 1964

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend O. C. Brown, Pastor, Perry Hill Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Harper	Perry
Albea	Collins	Hawkins	Pierce
Avery	Cook	Heflin	Posey
Baker (DeKalb)	Cooper	Hester	Powell
Baker (Madison)	Cornett	Hogan	Rast
Barnett	Crawford	Holladay	Reynolds
Bassett	Daniel	Ingram	Rogers
Bethea (M)	Doggett	Jones (Covington)	Salter
Bevill	Dominick	Jones (Monroe)	Scurlock
Blanton	Downing	Little	Sessions
Boston	Drake	Locke	Slate
Bowers	Edington	McCorquodale	Smith
Branyon	Edwards (Escambia)	McDermott	Snell
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Steagall
Brown (Tuscaloosa)	Engel	Meade	Stembridge
Burnham	Faulk	Meeks	Sullivan
Burns	Fields	Merrill	Teel
Callahan	Gilmore	Moore	Thomas
Camp	Glass	Nabors	Tuck
Campbell (Jackson)	Goodwyn	NeSmith	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Nettles	Turner (Limestone)
Cantrell	Hain	Paulk	Turnham
Carr	Hankins	Pennington	Vacca
Casey	Hannah		

—94

A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Rogers leave of absence was granted to Mr. Wood because of personal illness.

On motion of Mr. Powell leave of absence was granted to Mr. Young because of personal illness.

UNANIMOUS CONSENTS GRANTED

Mr. Barnett requested unanimous consent that leave of absence be granted to Mr. Davis because of personal illness, and it was so granted.

Mr. Little requested unanimous consent that leave of absence be granted to Mr. Goldthwaite because of illness in his family, and it was so granted.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Goodwyn, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

By Mr. Fite:

H. 111. To make an additional appropriation for payment of expenses of the Legislature.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 111. To make an additional appropriation for payment of expenses of the Legislature.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Burns, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 237. To further amend Section 26 of Title 46, of the Code of Alabama of 1940.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assessment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

S. 16. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

S. 17. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

S. 18. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

S. 19. To amend the Title and Section 1 of Act No. 663, S. 132, approved September 6, 1961 (Acts of 1961, p. 827) entitled "An Act to provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers: Providing for the preparation of ballots and voting machines

for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections: Providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast: Designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor: Prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections."

S. 20. To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

S. 21. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

S. 22. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, Page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

S. 23. To amend Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, Acts of Alabama 1951, page 1579, et seq., as heretofore amended.

S. 24. To amend Act No. 556, of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, page 1376 et seq.

S. 25. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

S. 26. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

S. 27. To apply in and only in each city in this state having a population of 300,000 or more, according to the last or any subsequent decennial federal census; to provide for the creation of the office of city magistrate and the appointment of city magistrates; To define the qualifications, powers and duties of city magistrates; and to provide for search warrants and warrants of arrest.

S. 28. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

S. 29. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

S. 30. To provide for and fix the sum of three hundred dollars per month as an allowance for expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand and inhabitants or more according to the last or any subsequent federal census, for which he shall not be required to file an accounting; and to provide that such mayor or chief executive officer shall attend as the official representative of the city such meetings and conferences in said city to which he is invited and which will in the opinion of such mayor or chief executive officer result in the advertisement of such city or any function or undertaking of such city.

S. 31. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

S. 32. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

S. 33. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

S. 34. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

S. 35. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

S. 36. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

S. 37. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

S. 38. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regular the payment of the salaries of said judge:

S. 39. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

S. 40. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

S. 41. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

S. 42. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

S. 43. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

S. 44. To amend Act. No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

S. 45. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

S. 46. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

S. 47. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

S. 48. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

S. 49. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

S. 50. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

The above bill was read a second time at length as required by the Constitution.

S. 51. To provide that the governing body of any city in the State having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

S. 52. To amend Section 3 of Act No. 695 of the 1951 Legislature.

S. 56. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 252. Relating to counties having populations of not less than 300,000 nor more than 500,000; to authorize the county governing body of any such county to make available to the sheriff an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

H. 253. To apply in counties having populations of not less than 300,000 nor more than 500,000; providing for assistants and deputies of the sheriff, regulating and providing for payment of their compensation.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 199 (with amendment). To provide that housing authorities incorporated under the statutes contained in the Code of Alabama 1940 in counties of not less than 150,000 inhabitants and not more than 300,000 inhabitants according to the last United States Census; where the employees of said housing authorities are subject to the provisions of a merit system; that said housing authorities in said counties acting by resolution of their Board of Commissioners are authorized to enter into a contract for the services of a director and assistant director and fix the compensation of same; said director and assistant director shall act as liaison personnel between the cities, the Regional Director and shall negotiate with citizens affected by the overall plan of Urban Redevelopment and such other duties as may be provided in said contract, in order to expedite and implement Title I of the Federal Housing Act of 1949, as amended. Said contract shall be approved by the Regional Director.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 225. To apply in counties having populations of not less than 46,500 nor more than 48,000, providing clerk-hire allowances for certain county officers.

H. 251. Relating to counties having populations of not less than 22,550 nor more than 24,550, authorizing an appropriation from county funds for certain purposes.

H. 254. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

H. 255. Relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff.

H. 262. To provide further for the compensation of the bailiff of any circuit court serving in any county having a population of not less than 76,000 nor more than 96,000.

H. 263. Relating to counties having a population of not less than 76,000 nor more than 96,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

S. 5. Relating to the Municipality of Decatur, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the City of Decatur, Alabama.

S. 8. To regulate the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000.

S. 9. Relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of a clerk for the board of registrars whose compensation shall be paid by the county.

S. 10. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-five Thousand (65,000) nor more than Ninety-five Thousand (95,000), according to the most recent Federal decennial census.

S. 11. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

S. 15. Relating to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

S. 61. To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

S. 64. To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

S. 65. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body

of all counties having populations of not less than 24,525 nor more than 24,675.

S. 66. For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

S. 69. Relating to counties having populations of not less than 25,-400 nor more than 25,600; regulating the compensation of jurors.

S. 70. Relating to counties having populations of not less than 25,-400 nor more than 25,600; regulating the pay of election officers.

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

S. 89. Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

S. 90. Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

S. 91. Relating to Greene County; providing for the relief of P. T. Martin.

S. 98. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

S. 99. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Burns and Nabors (with notice and proof):

H. 265. To alter, rearrange and extend the boundary lines of the Town of Glencoe, Etowah County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Etowah County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 265:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at the next regular or special session, and application for its passage and enactment will be made at the appropriate time.

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines of the Town of Glencoe, Etowah County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Etowah County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Glencoe, Etowah County, Alabama, be and the same are hereby altered, rearranged and extended so as to include all the territory heretofore encompassed by the corporate limits of said Town, and also certain other territory contiguous thereto, so that the corporate limits of said Town of Glencoe shall hereafter be comprised of the following described territory situated in Etowah County, Alabama, to wit:

Begin at the Southwest corner of Section 31, Township 12 South, Range 7 East; thence in an Easterly direction and along the South line of Sections 31 and 32, Township 12 South, Range 7 East to the Southeast corner of said Section 32, also being the Northwest Corner of Section 4, Township 13 South, Range 7 East; thence in a Southerly direction and along the West line of said Section 4 to the Southwest corner of the NW $\frac{1}{4}$ of said Section 4; thence in an Easterly direction and along the South line of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of said Section 4 to the Southeast corner of said NE $\frac{1}{4}$; thence in a Northerly direction and along the East line of said Section 4, Township 13 South, Range 7 East and the East line of Section 33, 28 and 21, Township 12 South, Range 7 East to the Northeast corner of Fraction "A" of Section 21, Township 12 South, Range 7 East, said point also being on the old Cherokee-Indian Boundary Line; thence in a Westerly direction and along said Cherokee-Indian Boundary Line to the Southeast corner of Fraction "B," North of the Cherokee-Indian Boundary Line of said Section 20; thence in a Northerly direction and along the East line of Fraction "B," of said Section 20 to the Northeast corner of said Fraction "B" of Section 20; thence in a Westerly direction and along the North line of said Fraction "B" of Section 20 to a point, said point being the Southeast corner of Fraction "E" of Section 17, Township 12 South, Range 7 East; thence in a Northerly direction and along the East line of Fractions "E," "C," and "B" of said Section 17 to the Northeast corner of Fraction "B" of said Section 17; thence in a Westerly direction and along the North line of said Fraction "B" of said Section 17 and the South line of Fraction "P" of Section 18, Township 12 South, Range 7 East to a point, said point being 251 feet West of the Southeast corner of said Fraction "P"; thence in a Northerly direction and parallel with the East line of said Fraction "P" a distance of 348.5 feet to a point; thence in an Easterly direction and parallel with the South line of said Fraction "P" a distance of 251 feet to a point on the East on the East line of said Fraction "P" thence in a Northerly direction and along the East line of said Fraction "P"

tion "P" of said Section 18 and the East line of Fraction "N" of Section 7, Township 12 South, Range 7 East to a point in the center of the Gadsden-Piedmont Highway; thence in a Northwesterly direction and along the center of said Gadsden-Piedmont Highway to a point on the West line of Fraction "M" of said Section 7; thence in a Southerly direction and along the West line of said Fraction "M" of Section 7 to the Southwest corner thereof; thence in an Easterly direction and along the South line of said Fraction "M" of Section 7 to the Southeast corner thereof, said point also being the Northwest corner of Fraction "P," Section 18, Township 12 South, Range 7 East; thence in a Southerly direction and along the West line of said Fraction "P," Section 18 to the Southwest corner thereof; thence in a Westerly direction and along the North line of Fraction "N," Section 18, Township 12 South, Range 7 East to the Northwest corner thereof, thence in a Northerly direction and along the East line of Fraction "G," Section 18, Township 12 South, Range 7 East to the Northeast side of Kaying Road; thence in a Northwesterly direction and along the Northeast side of Kaying Road to a point, said point being the Northwest corner of said Fraction "G," Section 18; thence in a Southerly direction and along the West line of Fractions "G," "H," "I" and "K" of said Section 18 to the Southwest corner of Fraction "K" of said Section 18, said point also being on the old Cherokee-Indian Boundary Line; thence in a Southeasterly direction and along said Cherokee-Indian Boundary Line to the Southeast corner of Section 18, Township 12 South, Range 7 East, also the Northwest corner of Section 20, Township 12 South, Range 7 East; thence in a Southerly direction and along West line of said Section 20 to the Southwest corner thereof, also being the Northeast corner of Section 30, Township 12 South, Range 7 East; thence in a Westerly direction and along the North line of said Section 30 to the Northwest corner thereof; thence in a Southerly direction and along the West line of Sections 30 and 31, Township 12 South, Range 7 East, to the Southwest corner of said Section 31, which is the point of beginning.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA ETOWAH COUNTY

Before me, T. R. Williams Jr., a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit

That there is glued to said affidavit notice of A bill to be entitled an act. Town of Glencoe which notice was printed in The Gadsden Times in its regularly circulated editions on Aug. 24, 31, and Sept. 7, 1963, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 6 day of Aug., 1964.

I. B. SCRUGGS.

Subscribed and sworn to before me on this the 6 day of Aug., 1964.

T. R. WILLIAMS, JR.,
Notary Public, Etowah County, Alabama.

My Commission Expires April 3, 1965.

By Messrs. Burns and Nabors (with notice and proof):

H. 266. To alter, rearrange and extend the boundary lines of the Town of Hokes Bluff, Etowah County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Etowah County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 266:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at the next regular or special session, and application for its passage and enactment will be made at the appropriate time.

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines of the Town of Hokes Bluff, Etowah County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Etowah County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Hokes Bluff, Etowah County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include all the territory heretofore encompassed by the corporate limits of said Town, and also certain other territory contiguous thereto, so that the corporate limits of said Town of Hokes Bluff shall hereafter be comprised of the following described territory situated in Etowah County, Alabama, to-wit:

To describe the Town of Hokes Bluff begin at the northeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirteen (13), Township Twelve (12), Range Seven (7) East; thence in a westerly direction and along the North line of the Southeast Quarter (SE $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of said Section Thirteen (13) to the Northwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Thirteen (13); thence in a northerly direction along the East line of the Northeast Quarter (NE $\frac{1}{4}$) of Section Fourteen (14), Township Twelve (12), Range Seven (7) East, to the Northeast corner of said Section Fourteen (14); thence continue in a northerly direction and along the East line of Section Eleven (11), Township Twelve (12), Range Seven (7) East, to the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Eleven (11); thence West and along the North line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Eleven (11) to the Northwest corner thereof; thence North and along the East line of the Northwest

Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eleven (11) to the Northeast corner thereof; thence West and along the North line of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eleven (11) to the Northwest corner thereof; thence North and along the East line of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Eleven (11) to the Northeast corner thereof; thence West and along the North line of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Eleven (11) to the Northwest corner thereof; thence South and along the West line of Section Eleven (11), to the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Eleven (11); thence West and along the North line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Ten (10) to the bank of the Coosa River; thence downstream and along the bank of said river to a point where the North line of the South portion of the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9) lying West of the Coosa River intersect same; thence West and along the North line of the South portion of the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9) lying West of the Coosa River to the Northwest corner thereof, thence North and along the East line of Section Eight (8) of the Northeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eight (8); thence West and along the North line of the Southeast Quarter (SE $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of Section Eight (8) to the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of Section Eight (8); thence continue in a westerly direction and along the North line of Fraction "O", Section Seven (7) to the Northwest corner thereof; thence in a southerly direction and along the West line of Fraction "O", Section Seven (7) to a point, said point being Six Hundred (600) feet North of the Southwest corner of Fraction "O", Section Seven (7); thence in a westerly direction and parallel with the South line of Fraction "L", Section Seven (7) a distance of Three Hundred Sixty Three (363) feet to a point; thence in a southerly direction and parallel with the East line of Fractions "L" and "M", Section Seven (7) to a point on the centerline of the Gadsden-Piedmont Highway; thence in a southerly direction and along the center of said Gadsden-Piedmont Highway to a point in the center of Cove Creek; thence in a southeasterly direction and along the centerline of Cove Creek to the intersection of Cove Creek and the South line of Fraction "H", Section Seventeen (17); thence East and along the South line of Fractions "H", "L" "Q" of Section Seventeen (17), and the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); thence South and along the West line of Fraction Seven (7), Section Sixteen (16) to the South boundary of Section Sixteen (16); thence East and along the South line of Sections Sixteen (16), Fifteen (15), Fourteen (14) and Thirteen (13), to the Southeast corner of Section Thirteen (13); thence North and along the East line of Section Thirteen (13) to the point of beginning; all of the above described Sections being in Township Twelve (12) South, Range Seven (7) East of the Huntsville Meridian and lying and being in Etowah County, State of Alabama.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA ETOWAH COUNTY

Before me, T. R. Williams Jr., a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of A bill to be entitled an act. Hokes Bluff, which notice was printed in The Gadsden Times in its regularly circulated editions on Aug. 24, 31, and Sept. 7, 1963, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 6 day of Aug., 1964.

I. B. SCRUGGS.

Subscribed and sworn to before me on this the 6 day of Aug., 1964.

T. R. WILLIAMS, JR.

Notary Public, Etowah County, Alabama.

My Commission Expires April 3, 1965.

By Mr. Bethea (M):

H. 267. To amend further Section 8 of Act No. 201, Regular Session 1955, relating to the assignment and placement of pupils in the public schools.

Education.

By Mr. Carr:

H. 268. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

Loal Legislation No. 1.

By Messrs. Edington, Engel, Rogers, Downing, McDermott and Hogan:

H. 269. Relating to counties with cities having populations of not less than 200,000 nor more than 300,000; regulating further the compensation of the judge of certain inferior civil courts.

Local Legislation No. 3.

RESOLUTION

The following resolution was introduced:

By Mr. Steagall:

H. J. R. 32. WHEREAS the new school building at Skipperville is a source of great pride to the citizens of that community and will be of great benefit to the educational and civic life of the community for years to come; and

WHEREAS the Honorable George W. Long, Superintendent of Education for Dale County, contributed greatly toward the securing of said school; and

WHEREAS, Mr. Long taught for many years in the Skipperville schools and has long been interested in and concerned with the establishment and construction of a new school building to serve the Skipperville community; and

WHEREAS the entire membership of the Dale County Board of Education, representatives of the County Parent Teachers Association, and of the Boosters Club of Skipperville have petitioned the Dale County delegation in the Alabama Legislature for permission to name the new school building at Skipperville for Mr. Long; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new school building at Skipperville shall be, and it is hereby named, designated and known as the "George W. Long Skipperville School".

On motion of Mr. Steagall the rules were suspended and H. J. R. 32 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 23. Relative to appointing a Legislative Committee to obtain a designated area for parking for members of the House and Senate.

Also:

H. J. R. 24. Relative to commending the Bay Minette Key Club.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 93 POSTPONED

On motion of Mr. Rast, consideration of the bill, H. 93, was postponed until the next legislative day.

H. 13 POSTPONED

On motion of Mr. Baker (DeKalb), consideration of the bill, H. 13, was postponed until the next legislative day.

BILLS ON THIRD READING

H. 198. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Covington County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Paulk
Albea	Cook	Hannah	Pennington
Avery	Cooper	Harper	Pierce
Baker (DeKalb)	Cornett	Heflin	Posey
Baker (Madison)	Crawford	Hester	Powell
Barnett	Daniel	Hogan	Rast
Bassett	Doggett	Ingram	Rogers
Bevill	Downing	Jones (Covington)	Salter
Blanton	Edington	Jones (Monroe)	Scurlock
Boston	Edwards (Escambia)	Little	Sessions
Branyon	Edwards (Lowndes)	McCorquodale	Snell
Brown (Tuscaloosa)	Engel	McDermott	Stembridge
Burnham	Fields	Meeks	Sullivan
Camp	Gilmore	Merrill	Teel
Campbell (Jackson)	Glass	Moore	Tuck
Campbell (Tuscaloosa)	Goodwyn	Nabors	Turnham
Carr	Grouby	NeSmith	Vacca
Casey	Hain	Nettles	

—71

And the bill:

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	Paulk
Albea	Cates	Hankins	Pennington
Baker (DeKalb)	Cook	Hannah	Pierce
Baker (Madison)	Cooper	Harper	Posey
Barnett	Cornett	Heflin	Powell
Bassett	Crawford	Hester	Rast
Bethea (M)	Daniel	Hogan	Rogers
Bevill	Doggett	Ingram	Salter
Blanton	Downing	Jones (Covington)	Scurlock
Boston	Drake	Little	Sessions
Bowers	Edington	McCorquodale	Snell
Branyon	Edwards (Escambia)	McDermott	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Meade	Sullivan
Brown (Tuscaloosa)	Engel	Meeks	Teel
Burnham	Fields	Merrill	Tuck
Callahan	Gilmore	Moore	Turner (Limestone)
Camp	Glass	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca
Carr	Grouby	Nettles	

—75

And the bill:

H. 205. To regulate further the compensation and allowance of the sheriff of counties having a population of not less than 96,000 nor more than 106,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Carr	Goodwyn	Nettles
Albea	Casey	Hain	Paulk
Baker (DeKalb)	Cates	Hankins	Pierce
Baker (Madison)	Cook	Hannah	Posey
Barnett	Cooper	Harper	Powell
Bassett	Cornett	Heflin	Rast
Bevill	Crawford	Hester	Rogers
Blanton	Daniel	Hogan	Salter
Boston	Doggett	Ingram	Scurlock
Bowers	Downing	Jones (Covington)	Sessions
Branyon	Drake	Little	Snell
Brown (Jefferson)	Edington	McCorquodale	Stembridge
Burnham	Edwards (Escambia)	McDermott	Sullivan
Burns	Edwards (Lowndes)	Meeks	Teel
Callahan	Engel	Merrill	Tuck
Camp	Fields	Moore	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	Nabors	Turnham
Cantrell	Glass	NeSmith	Vacca

—72

And the bill:

H. 207. To amend Act No. 190, H. 389, Regular Session 1961 (Acts 1961, p. 230), an act which regulates the compensation of members and clerks of jury commissions in counties having populations of not less than 96,000 nor more than 106,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Nettles
Albea	Casey	Hankins	Paulk
Baker (DeKalb)	Cates	Hannah	Posey
Baker (Madison)	Cook	Harper	Powell
Barnett	Cooper	Heflin	Rast
Bassett	Cornett	Hester	Rogers
Bevill	Crawford	Hogan	Salter
Blanton	Daniel	Ingram	Scurlock
Boston	Doggett	Jones (Covington)	Snell
Bowers	Downing	Little	Stembridge
Branyon	Edington	McCorquodale	Sullivan
Brown (Jefferson)	Edwards (Escambia)	McDermott	Teel
Brown (Tuscaloosa)	Edwards (Lowndes)	Meeks	Tuck
Burnham	Engel	Merrill	Turner (Crenshaw)
Burns	Fields	Moore	Turner (Limestone)
Camp	Gilmore	Nabors	Turnham
Campbell (Tuscaloosa)	Glass	NeSmith	Vacca
Cantrell	Goodwyn		

—70

And the bill:

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Nettles
Albea	Casey	Hankins	Paulk
Baker (DeKalb)	Cates	Hannah	Pennington
Baker (Madison)	Cook	Harper	Posey
Barnett	Cooper	Heflin	Powell
Bassett	Cornett	Hester	Rast
Bethea (M)	Crawford	Hogan	Rogers
Bevill	Daniel	Ingram	Salter
Blanton	Doggett	Jones (Covington)	Scurlock
Boston	Downing	Jones (Monroe)	Snell
Bowers	Drake	Little	Steagall
Branyon	Edington	McCorquodale	Stembridge
Brown (Jefferson)	Edwards (Escambia)	McDermott	Sullivan
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Teel
Burnham	Engel	Meeks	Tuck
Burns	Fields	Merrill	Turner (Crenshaw)
Callahan	Gilmore	Moore	Turner (Limestone)
Camp	Glass	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca
Cantrell	Grouby		

—78

And the bill:

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hain	Nettles
Albea	Carr	Hankins	Paulk
Baker (DeKalb)	Casey	Hannah	Pennington
Baker (Madison)	Cates	Harper	Pierce
Barnett	Cook	Heflin	Posey
Bassett	Cooper	Hester	Powell
Bethea (M)	Cornett	Hogan	Rast
Bevill	Crawford	Ingram	Rogers
Blanton	Daniel	Jones (Covington)	Salter
Boston	Doggett	Jones (Monroe)	Sessions
Bowers	Downing	Little	Snell
Branyon	Edington	McCorquodale	Steagall
Brown (Jefferson)	Edwards (Escambia)	McDermott	Sullivan
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Tuck
Burnham	Engel	Meeks	Turner (Crenshaw)
Burns	Fields	Merrill	Turner (Limestone)
Callahan	Gilmore	Moore	Turnham
Camp	Glass	Nabors	Vacca
Campbell (Tuscaloosa)	Goodwyn	NeSmith	

—75

And the bill:

H. 211. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	Nettles
Albea	Cates	Hankins	Paulk
Baker (DeKalb)	Cook	Hannah	Pierce
Baker (Madison)	Cooper	Harper	Posey
Barnett	Cornett	Heflin	Powell
Bassett	Crawford	Hester	Rast
Bethea (M)	Daniel	Hogan	Rogers
Bevill	Doggett	Ingram	Salter
Blanton	Dominick	Jones (Covington)	Scurlock
Boston	Downing	Jones (Monroe)	Sessions
Bowers	Drake	Little	Snell
Branyon	Edgington	McCorquodale	Steagall
Brown (Jefferson)	Edwards (Escambia)	McDermott	Stembridge
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Sullivan
Burnham	Engel	Meeks	Tuck
Callahan	Fields	Merrill	Turner (Crenshaw)
Camp	Gilmore	Moore	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Nabors	Turnham
Cantrell	Goodwyn	NeSmith	Vacca
Carr	Grouby		

—78

And the bill:

H. 213. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Blanton	Callahan	Cook
Albea	Boston	Camp	Cooper
Baker (DeKalb)	Bowers	Campbell (Tuscaloosa)	Cornett
Baker (Madison)	Branyon	Cantrell	Crawford
Barnett	Brown (Jefferson)	Carr	Daniel
Bassett	Brown (Tuscaloosa)	Casey	Doggett
Bevill	Burnham	Cates	Dominick

Downing	Hannah	Merrill	Scurlock
Drake	Harper	Moore	Sessions
Edington	Heflin	Nabors	Snell
Edwards (Escambia)	Hester	NeSmith	Steagall
Edwards (Lowndes)	Hogan	Nettles	Stembridge
Fields	Ingram	Paulk	Sullivan
Gilmore	Jones (Covington)	Pierce	Tuck
Glass	Jones (Monroe)	Posey	Turner (Crenshaw)
Goodwyn	Little	Powell	Turner (Limestone)
Grouby	McDermott	Rast	Turnham
Hain	Meade	Rogers	Vacca
Hankins	Meeks	Salter	

—75

And the bill:

H. 214. Relating to counties having a population of not less than 100,000 nor more than 115,000 according to the latest or any succeeding Federal census and amending Title 49, Section 64 of the Code of Alabama of 1940 as the same applies to such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Grouby	Paulk
Albea	Carr	Hain	Pierce
Avery	Casey	Hankins	Posey
Baker (DeKalb)	Cates	Hannah	Powell
Baker (Madison)	Cook	Heflin	Rast
Barnett	Cooper	Hester	Rogers
Bassett	Cornett	Hogan	Salter
Bethea (M)	Crawford	Ingram	Sessions
Blanton	Daniel	Jones (Covington)	Snell
Boston	Doggett	Jones (Monroe)	Steagall
Bowers	Downing	Little	Stembridge
Branyon	Drake	McCorquodale	Sullivan
Brown (Jefferson)	Edington	Meade	Teel
Brown (Tuscaloosa)	Edwards (Escambia)	Meeks	Tuck
Burnham	Edwards (Lowndes)	Merrill	Turner (Crenshaw)
Burns	Fields	Moore	Turner (Limestone)
Callahan	Gilmore	Nabors	Turnham
Camp	Glass	NeSmith	Vacca
Campbell (Tuscaloosa)	Goodwyn		

—74

And the bill:

H. 221. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Grouby	Paulk
Albea	Carr	Hain	Pierce
Avery	Casey	Hankins	Posey
Baker (DeKalb)	Cates	Hannah	Powell
Baker (Madison)	Cook	Harper	Rast
Barnett	Cooper	Heflin	Rogers
Bassett	Cornett	Hester	Salter
Bethea (M)	Crawford	Hogan	Scurlock
Bevill	Daniel	Jones (Covington)	Sessions
Blanton	Doggett	Jones (Monroe)	Snell
Boston	Downing	Little	Steagall
Bowers	Drake	McDermott	Stembridge
Branyon	Edington	Meade	Sullivan
Brown (Jefferson)	Edwards (Escambia)	Meeks	Teel
Brown (Tuscaloosa)	Edwards (Lowndes)	Merrill	Tuck
Burnham	Fields	Moore	Turner (Crenshaw)
Callahan	Gilmore	Nabors	Turner (Limestone)
Camp	Glass	NeSmith	Turnham
Campbell (Tuscaloosa)	Goodwyn	Nettles	Vacca

—76

POINT OF PERSONAL PRIVILEGE

Mr. Mashburn requested as a matter of personal privilege that the Journal show that he was temporarily away from his desk when the bill H. 221 was up for passage. He requested that the Journal show that had he voted he would have voted "yea" on the passage of the bill, H. 221.

BILLS ON THIRD READING RESUMED

H. 222. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Carr	Hankins	Pierce
Albea	Casey	Hannah	Posey
Avery	Cates	Harper	Powell
Baker (DeKalb)	Cook	Heflin	Rast
Baker (Madison)	Cooper	Hester	Rogers
Barnett	Cornett	Hogan	Salter
Bassett	Crawford	Ingram	Scurlock
Bethea (M)	Daniel	Jones (Covington)	Sessions
Bevill	Doggett	Jones (Monroe)	Snell
Blanton	Downing	Little	Steagall
Boston	Drake	McCorquodale	Stembridge
Bowers	Edington	Meade	Sullivan
Branyon	Edwards (Escambia)	Meeks	Teel
Brown (Jefferson)	Edwards (Lowndes)	Merrill	Tuck
Burnham	Gilmore	Moore	Turner (Crenshaw)
Callahan	Glass	NeSmith	Turner (Limestone)
Camp	Goodwyn	Nettles	Turnham
Campbell (Tuscaloosa)	Grouby	Paulk	Vacca
Cantrell	Hain		

—74

And the bill:

H. 224. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Paulk
Albea	Casey	Hankins	Pierce
Avery	Cates	Harper	Posey
Baker (DeKalb)	Cook	Heflin	Powell
Baker (Madison)	Cooper	Hester	Rast
Barnett	Cornett	Hogan	Rogers
Bassett	Crawford	Ingram	Salter
Bethea (M)	Daniel	Jones (Covington)	Scurlock
Bevill	Doggett	Jones (Monroe)	Sessions
Blanton	Downing	Little	Snell
Boston	Drake	McCorquodale	Steagall
Bowers	Edington	McDermott	Stembridge
Branyon	Edwards (Escambia)	Meade	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Teel
Brown (Tuscaloosa)	Fields	Merrill	Tuck
Burnham	Gilmore	Moore	Turner (Crenshaw)
Callahan	Glass	Nabors	Turner (Limestone)
Camp	Goodwyn	NeSmith	Turnham
Campbell (Tuscaloosa)	Grouby	Nettles	Vacca
Cantrell			

—77

And the bill:

H. 226. To provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Brown (Tuscaloosa)	Daniel	Grouby
Albea	Burnham	Doggett	Hain
Avery	Callahan	Dominick	Hankins
Baker (DeKalb)	Camp	Downing	Hannah
Baker (Madison)	Campbell (Tuscaloosa)	Drake	Harper
Barnett	Cantrell	Edington	Heflin
Bethea (M)	Carr	Edwards (Escambia)	Hester
Bevill	Casey	Edwards (Lowndes)	Hogan
Blanton	Cates	Engel	Ingram
Boston	Cook	Fields	Jones (Covington)
Bowers	Cooper	Gilmore	Jones (Monroe)
Branyon	Cornett	Glass	Little
Brown (Jefferson)	Crawford	Goodwyn	McCorquodale

McDermott	Nettles	Salter	Teel
Meade	Paulk	Scurlock	Tuck
Meeks	Pierce	Sessions	Turner (Crenshaw)
Merrill	Posey	Snell	Turner (Limestone)
Moore	Powell	Steagall	Turnham
Nabors	Rast	Sullivan	Vacca
NeSmith	Rogers		

—78

And the bill:

H. 227. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Carr	Hankins	Pennington
Albea	Casey	Hannah	Pierce
Avery	Cooper	Harper	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Rast
Barnett	Daniel	Hogan	Rogers
Bassett	Doggett	Holladay	Salter
Bethea (M)	Dominick	Ingram	Scurlock
Bevill	Downing	Jones (Covington)	Sessions
Blanton	Drake	Jones (Monroe)	Snell
Boston	Edington	McCorquodale	Steagall
Bowers	Edwards (Escambia)	McDermott	Stembridge
Branyon	Edwards (Lowndes)	Meade	Sullivan
Brown (Jefferson)	Engel	Meeks	Teel
Brown (Tuscaloosa)	Fields	Merrill	Tuck
Burnham	Gilmore	Moore	Turner (Crenshaw)
Callahan	Glass	Nabors	Turner (Limestone)
Camp	Goodwyn	NeSmith	Turnham
Campbell (Tuscaloosa)	Grouby	Nettles	Vacca
Cantrell	Hain	Paulk	

—79

And the bill:

H. 228. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Bevill	Camp	Cornett
Albea	Boston	Campbell (Jackson)	Crawford
Avery	Bowers	Campbell (Tuscaloosa)	Daniel
Baker (DeKalb)	Branyon	Cantrell	Doggett
Baker (Madison)	Brown (Jefferson)	Carr	Drake
Barnett	Brown (Tuscaloosa)	Casey	Edington
Bassett	Burnham	Cates	Edwards (Escambia)
Bethea (M)	Callahan	Cooper	Edwards (Lowndes)

Engel	Hogan	Moore	Sessions
Fields	Ingram	NeSmith	Snell
Gilmore	Jones (Covington)	Nettles	Stembridge
Glass	Jones (Monroe)	Paulk	Sullivan
Goodwyn	Little	Pierce	Teel
Grouby	McCorquodale	Posey	Tuck
Hankins	McDermott	Powell	Turner (Crenshaw)
Hannah	Meade	Rast	Turner (Limestone)
Harper	Meeks	Rogers	Turnham
Heflin	Merrill	Scurlock	Vacca
Hester			

—73

And the bill:

H. 229. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hain	Pennington
Albea	Carr	Hankins	Pierce
Avery	Casey	Hannah	Posey
Baker (DeKalb)	Cates	Harper	Powell
Baker (Madison)	Cooper	Heflin	Rast
Barnett	Cornett	Hester	Rogers
Bassett	Crawford	Hogan	Salter
Bethea (M)	Daniel	Ingram	Scurlock
Bevill	Doggett	Jones (Covington)	Sessions
Blanton	Drake	Jones (Monroe)	Snell
Boston	Edington	McCorquodale	Steagall
Bowers	Edwards (Escambia)	McDermott	Stembridge
Branyon	Edwards (Lowndes)	Meade	Sullivan
Brown (Jefferson)	Engel	Meeks	Teel
Brown (Tuscaloosa)	Fields	Merrill	Tuck
Burnham	Gilmore	Moore	Turner (Crenshaw)
Callahan	Glass	NeSmith	Turner (Limestone)
Camp	Goodwyn	Nettles	Turnham
Campbell (Tuscaloosa)	Grouby	Paulk	Vacca

—76

BILLS POSTPONED

On motion of Mr. Goodwyn, consideration of the bills, H. 230, H. 231 and H. 232, was postponed until the next legislative day.

Yeas 16; Nays 10.

Yeas:

Messrs.	Edington	Heflin	Salter
Barnett	Gilmore	Merrill	Tuck
Bassett	Goodwyn	Paulk	Turner (Crenshaw)
Blanton	Harper	Pennington	Vacca
Burnham			

—16

Nays:

Messrs.	Callahan	Little	Powell
Bethea (M)	Cooper	Meeks	Turner (Limestone)
Boston	Dominick	Pierce	

—10

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned. The Speaker ruled that a quorum was present.

BILLS ON THIRD READING RESUMED

H. 234. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Carr	Hannah	Paulk
Albea	Casey	Harper	Pennington
Avery	Cates	Hawkins	Perry
Baker (DeKalb)	Cooper	Heflin	Posey
Barnett	Cornett	Hester	Powell
Bassett	Crawford	Hogan	Rast
Bethea (M)	Daniel	Holladay	Rogers
Bevill	Doggett	Jones (Covington)	Salter
Blanton	Drake	Jones (Monroe)	Scurlock
Boston	Edington	Little	Sessions
Branyon	Edwards (Escambia)	McCorquodale	Slate
Brown (Jefferson)	Edwards (Lowndes)	McDermott	Snell
Brown (Tuscaloosa)	Engel	Mashburn	Stembridge
Burnham	Gilmore	Meade	Sullivan
Burns	Glass	Meeks	Thomas
Callahan	Goodwyn	Merrill	Tuck
Camp	Grouby	Moore	Turner (Limestone)
Campbell (Jackson)	Hain	NeSmith	Turnham
Campbell (Tuscaloosa)	Hankins	Nettles	Vacca
Cantrell			

—77

And the bill:

H. 235. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Barnett	Blanton	Burnham
Albea	Bassett	Boston	Callahan
Avery	Bethea (M)	Brown (Jefferson)	Camp
Baker (DeKalb)	Bevill	Brown (Tuscaloosa)	Campbell (Jackson)

Campbell(Tuscaloosa)	Engel	Little	Rast
Cantrell	Gilmore	McCorquodale	Rogers
Carr	Glass	Meade	Salter
Casey	Goodwyn	Meeks	Scurlock
Cates	Hain	Merrill	Slate
Cooper	Hankins	Moore	Snell
Crawford	Hannah	NeSmith	Steagall
Daniel	Harper	Nettles	Stembridge
Doggett	Hawkins	Paulk	Sullivan
Dominick	Heflin	Pennington	Thomas
Drake	Hester	Perry	Tuck
Edington	Hogan	Posey	Turner (Limestone)
Edwards (Escambia)	Jones (Covington)	Powell	Turnham
Edwards (Lowndes)	Jones (Monroe)		

—70

And the bill:

H. 238. To apply in all counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for branch banking in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Carr	Hannah	Perry
Albea	Casey	Harper	Pierce
Avery	Cates	Hawkins	Posey
Baker (DeKalb)	Cooper	Heflin	Powell
Barnett	Cornett	Hester	Rast
Bassett	Crawford	Hogan	Rogers
Bethea (M)	Daniel	Holladay	Salter
Bevill	Doggett	Ingram	Scurlock
Blanton	Dominick	Jones (Covington)	Sessions
Boston	Drake	Little	Slate
Branyon	Edington	McCorquodale	Snell
Brown (Jefferson)	Edwards (Escambia)	McDermott	Steagall
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Stembridge
Burnham	Fields	Meeks	Sullivan
Burns	Gilmore	Merrill	Teel
Callahan	Glass	Moore	Thomas
Camp	Goodwyn	NeSmith	Tuck
Campbell (Jackson)	Grouby	Nettles	Turner (Limestone)
Campbell(Tuscaloosa)	Hain	Paulk	Turnham
Cantrell	Hankins	Pennington	Vacca

—80

And the bill:

H. 240. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of the coroner in such counties, providing for a salary payable by the county in lieu of fees and allowances.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Carr	Hankins	Pierce
Albea	Casey	Hannah	Posey
Avery	Cates	Harper	Powell
Baker (DeKalb)	Cooper	Hawkins	Rast
Barnett	Cornett	Heflin	Rogers
Bethea (M)	Crawford	Hester	Salter
Bevill	Daniel	Hogan	Scurlock
Blanton	Doggett	Holladay	Sessions
Boston	Dominick	Jones (Covington)	Snell
Branyon	Drake	McDermott	Steagall
Brown (Jefferson)	Edington	Meade	Stembridge
Brown (Tuscaloosa)	Edwards (Escambia)	Meeks	Sullivan
Burnham	Edwards (Lowndes)	Merrill	Teel
Burns	Engel	Moore	Thomas
Callahan	Fields	NeSmith	Tuck
Camp	Gilmore	Nettles	Turner (Limestone)
Campbell (Jackson)	Glass	Paulk	Turnham
Campbell (Tuscaloosa)	Grouby	Pennington	Vacca
Cantrell	Hain	Perry	

—75

And the bill:

H. 241. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of jurors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Carr	Hankins	Pennington
Albea	Casey	Hannah	Perry
Avery	Cates	Harper	Pierce
Baker (DeKalb)	Cooper	Hawkins	Posey
Barnett	Cornett	Heflin	Powell
Bassett	Crawford	Hester	Rast
Bethea (M)	Daniel	Hogan	Rogers
Bevill	Doggett	Holladay	Scurlock
Blanton	Drake	Jones (Covington)	Snell
Boston	Edington	McDermott	Steagall
Branyon	Edwards (Escambia)	Mashburn	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Meade	Sullivan
Brown (Tuscaloosa)	Engel	Meeks	Teel
Burnham	Fields	Merrill	Thomas
Callahan	Gilmore	Moore	Tuck
Camp	Glass	NeSmith	Turner (Limestone)
Campbell (Jackson)	Grouby	Nettles	Turnham
Campbell (Tuscaloosa)	Hain	Paulk	Vacca
Cantrell			

—73

And the bill:

H. 242. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker	Carr	Harper	Pierce
Albea	Cates	Hawkins	Posey
Avery	Cooper	Heflin	Powell
Baker (DeKalb)	Cornett	Hester	Rast
Barnett	Crawford	Hogan	Rogers
Bassett	Daniel	Holladay	Salter
Bethea (M)	Doggett	Jones (Covington)	Scurlock
Bevill	Drake	McDermott	Sessions
Blanton	Edington	Mashburn	Snell
Boston	Edwards (Escambia)	Meade	Steagall
Branyon	Edwards (Lowndes)	Meeks	Stembridge
Brown (Jefferson)	Engel	Merrill	Sullivan
Brown (Tuscaloosa)	Fields	Moore	Teel
Burnham	Hain	NeSmith	Thomas
Callahan	Glass	Nettles	Tuck
Camp	Grouby	Paulk	Turner (Limestone)
Campbell (Jackson)	Hain	Pennington	Turnham
Campbell (Tuscaloosa)	Hankins	Perry	Vacca
Cantrell	Hannah		

—74

Nay: Mr. Ingram

—1

And the bill:

H. 243. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Pennington
Albea	Cates	Hankins	Perry
Avery	Cook	Hannah	Posey
Baker (DeKalb)	Cooper	Harper	Powell
Barnett	Cornett	Hawkins	Rast
Bassett	Crawford	Heflin	Rogers
Bethea (M)	Daniel	Hester	Salter
Bevill	Doggett	Hogan	Scurlock
Blanton	Dominick	Ingram	Snell
Boston	Drake	Jones (Covington)	Steagall
Branyon	Edington	McDermott	Stembridge
Brown (Jefferson)	Edwards (Escambia)	Mashburn	Sullivan
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Teel
Burnham	Engel	Meeks	Thomas
Callahan	Fields	Merrill	Tuck
Camp	Gilmore	Moore	Turner (Limestone)
Campbell (Jackson)	Glass	NeSmith	Turnham
Campbell (Tuscaloosa)	Goodwyn	Nettles	Vacca
Cantrell	Grouby	Paulk	

—75

And the bill:

H. 245. Relating to counties having populations of not less than 76,000 nor more than 96,000; providing for the appointment of deputies sheriff; and fixing their salaries.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Carr	Hankins	Nettles
Albea	Cates	Hannah	Paulk
Avery	Cook	Harper	Pennington
Baker (DeKalb)	Cooper	Hawkins	Perry
Baker (Madison)	Cornett	Heflin	Posey
Barnett	Crawford	Hester	Powell
Bassett	Daniel	Hogan	Rogers
Bethea (M)	Doggett	Holladay	Scurlock
Bevill	Dominick	Ingram	Sessions
Blanton	Drake	Jones (Covington)	Snell
Boston	Edington	Jones (Monroe)	Steagall
Branyon	Edwards (Escambia)	Little	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	McDermott	Sullivan
Brown (Tuscaloosa)	Fields	Mashburn	Teel
Burnham	Gilmore	Meade	Thomas
Callahan	Glass	Meeks	Tuck
Camp	Goodwyn	Merrill	Turner (Limestone)
Campbell (Jackson)	Grouby	Moore	Turnham
Campbell (Tuscaloosa)	Hain	NeSmith	Vacca
Cantrell			

—77

And the bill:

H. 246. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 76,000 nor more than 96,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hankins	Paulk
Albea	Carr	Hannah	Pennington
Avery	Casey	Harper	Perry
Baker (DeKalb)	Cates	Hawkins	Posey
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Cornett	Hester	Rast
Bassett	Crawford	Hogan	Rogers
Bethea (M)	Daniel	Holladay	Scurlock
Bevill	Doggett	Jones (Covington)	Snell
Blanton	Drake	Jones (Monroe)	Steagall
Boston	Edington	Little	Stembridge
Branyon	Edwards (Escambia)	McDermott	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Teel
Brown (Tuscaloosa)	Fields	Meade	Thomas
Burnham	Gilmore	Meeks	Tuck
Callahan	Glass	Merrill	Turner (Limestone)
Camp	Goodwyn	Moore	Turnham
Campbell (Jackson)	Grouby	NeSmith	Vacca
Campbell (Tuscaloosa)	Hain	Nettles	

—75

And the bill:

H. 247. To regulate the compensation and allowances of certain county officers of all counties having populations of not less than 76,000 nor more than 96,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Carr	Hannah	Paulk
Albea	Casey	Harper	Pennington
Avery	Cates	Hawkins	Perry
Baker (DeKalb)	Cooper	Heflin	Posey
Baker (Madison)	Cornett	Hester	Powell
Barnett	Crawford	Hogan	Rast
Bethea (M)	Daniel	Holladay	Scurlock
Bevill	Doggett	Ingram	Sessions
Blanton	Dominick	Jones (Covington)	Snell
Boston	Edington	Jones (Monroe)	Steagall
Branyon	Edwards (Escambia)	McDermott	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Sullivan
Brown (Tuscaloosa)	Fields	Meade	Teel
Burnham	Gilmore	Meeks	Thomas
Callahan	Glass	Merrill	Tuck
Camp	Goodwyn	Moore	Turner (Limestone)
Campbell (Jackson)	Grouby	NeSmith	Turnham
Campbell (Tuscaloosa)	Hain	Nettles	Vacca
Cantrell	Hankins		

—74

And the bill:

H. 187. Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hannah	Pennington
Albea	Carr	Harper	Perry
Avery	Casey	Hawkins	Posey
Baker (DeKalb)	Cates	Heflin	Powell
Baker (Madison)	Cooper	Hester	Rast
Barnett	Cornett	Hogan	Rogers
Bassett	Crawford	Holladay	Salter
Bethea (M)	Daniel	Ingram	Scurlock
Bevill	Doggett	Jones (Covington)	Snell
Blanton	Edington	Little	Steagall
Boston	Edwards (Escambia)	McDermott	Stembridge
Branyon	Edwards (Lowndes)	Mashburn	Sullivan
Brown (Jefferson)	Engel	Meade	Teel
Brown (Tuscaloosa)	Fields	Meeks	Thomas
Burnham	Glass	Merrill	Tuck
Callahan	Goodwyn	Moore	Turner (Limestone)
Camp	Grouby	NeSmith	Turnham
Campbell (Jackson)	Hain	Nettles	Vacca
Campbell (Tuscaloosa)	Hankins	Paulk	

—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 108. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

Also:

H. 160. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Also:

H. 109. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the payment of the compensation of members and chairman of the county governing body.

MCDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Carter:

S. 111. To allow the Board of Revenue of Jackson County to authorize the Sheriff of Jackson County to employ an additional deputy to be known as a County Criminal Investigator; defining his powers and duties, and fixing his compensation.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and its passage and enactment sought:

AN ACT

To allow the Board of Revenue of Jackson County to authorize the Sheriff of Jackson County to employ an additional deputy to be known as a County Criminal Investigator; defining his powers and duties, and fixing his compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Jackson County shall be allowed to authorize the Sheriff of Jackson County to employ an addi-

tional deputy sheriff, which deputy shall be designated as a County Criminal Investigator. Such Investigator shall have all the powers and duties and be subject to all conditions as are Deputy Sheriffs under the general laws of this state, and shall be subject to the supervision and control of the Sheriff at all times.

Section 2. When such Investigator shall be authorized by such Board of Revenue and employed by the Sheriff, his compensation shall be fixed by the Board of Revenue at not less than \$350.00 per month and not more than \$450.00 per month to be paid out of the General Fund of the County as other deputies are paid.

Section 3. All other laws or parts of laws in conflict with this act are hereby repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FRED J. BUCHHEIT, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the THE SENTINEL-AGE, a newspaper of general circulation published in JACKSON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18, July 25, Aug. 1, and Aug. 8, all in the year 1963.

FRED J. BUCHHEIT.

Sworn to and subscribed before me Aug. 9, 1963.

EVELYN TUBB,
Notary Public.

My commission expires 5 Nov., 1966.

Also:

By Mr. Carter:

S. 112. To provide for a supplemental salary to be paid by counties to the Register of a one-county Judicial Circuit, which County has a population under 500,000, and having two Courthouses where Circuit Court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

Also:

By Mr. Roberts:

S. 104. For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of county commissioners, board of revenue, court of county commissioners or other like governing body of Madison County may appropriate from any funds in the county treasury not otherwise appropriated the sum of \$469.85 for the relief of Willie B. Williams, to reimburse him for medical and hospital expenses incurred by him for the treatment of injuries sustained on or about October 23, 1963, when he was involved in an accident while employed by the county as a patrol operator. Such accident occurred under such circumstances that the county is morally and justly obligated to respond in damages; but the said Willie B. Williams has no legal recourse for the collection thereof.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 6, March 13, March 20, and March 27, all in the year 1964.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me March 28, 1964.

OPAL H. DILWORTH,
Notary Public.

Also:

By Mr. Roberts:

S. 107. To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, Alabama, shall have power to establish, maintain and operate, within the limits of such county, additional offices or places of business. Such bank before the establishment of any such additional office or place of business shall first secure the consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, and shall be considered as cumulative authority and shall not operate to repeal or amend any law now in effect in such county.

Jan. 20, 27, Feb. 3 & 10, 1964

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on January 20, 27, February 3 and 10, 1964.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11 day of February, 1964.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1967.

Also:

By Mr. Reynolds:

S. 120. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this act.

Also:

By Mr. Reynolds:

S. 121. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having

populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Mr. Smith:

S. 125. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Also:

By Mr. Shelton:

S. 127. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Also:

By Mr. Taylor:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Also:

By Mr. Wilson:

S. 129. To apply in all counties having populations of not less than 51,000 nor more than 56,000, regulating the compensation of election officers.

Also:

By Mr. Wilson:

S. 128. To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 111. Local Legislation No. 1.
- S. 112. Local Legislation No. 1.
- S. 104. Local Legislation No. 1.
- S. 107. Local Legislation No. 1.
- S. 120. Local Legislation No. 1.
- S. 121. Local Legislation No. 1.
- S. 125. Local Legislation No. 1.
- S. 127. Local Legislation No. 1.

S. 131. Local Legislation No. 1.

S. 129. Local Legislation No. 1.

S. 128. Local Legislation No. 1.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:10 A.M. On August 14, 1964

H. 111

Delivered to the Governor at 10:30 A.M. On August 14, 1964

H. J. R. 23

H. J. R. 24

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

Mr. Callahan moved that the House adjourn until Tuesday, August 18, 1964, at twelve o'clock, noon.

The substitute motion of Mr. Salter that the House adjourn until Tuesday, August 18, 1964, at two o'clock P.M., was adopted.

Yeas 49; Nays 26.

Yeas:

Messrs.	Cooper	Hannah	Powell
Albea	Cornett	Harper	Rogers
Avery	Crawford	Hester	Salter
Baker (Madison)	Daniel	Hogan	Scurlock
Barnett	Doggett	Ingram	Slate
Bethea (M)	Drake	Jones (Covington)	Steagall
Bevill	Edington	Jones (Monroe)	Stembridge
Branyon	Edwards (Escambia)	Little	Teel
Brown (Jefferson)	Edwards (Lowndes)	Meade	Turner (Crenshaw)
Burns	Fields	Moore	Turner (Limestone)
Callahan	Gilmore	NeSmith	Turnham
Casey	Grouby	Posey	Vacca
Cates	Hankins		

—49

Nays:

Mr. Speaker	Campbell (Tuscaloosa)	Holladay	Owens
Bassett	Cantrell	McDermott	Paulk
Boston	Dominick	Mashburn	Perry
Brown (Tuscaloosa)	Glass	Meeks	Rast
Burnham	Goodwyn	Merrill	Sullivan
Camp	Hain	Nettles	Tuck
Campbell (Jackson)	Hawkins		

—26

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 18, 1964

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Joe Bates, Minister, Arlington Methodist Church, Arlington, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hankins	Pennington
Albea	Collins	Hannah	Perry
Avery	Cook	Harper	Pierce
Bailes	Cooper	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Bethea (B)	Doggett	Ingram	Rogers
Bethea (M)	Dominick	Jones (Covington)	Salter
Bevill	Downing	Jones (Monroe)	Scurlock
Blanton	Drake	Little	Sessions
Bolton	Edgington	Locke	Slate
Boston	Edwards (Escambia)	McCorquodale	Smith
Bowers	Edwards (Lowndes)	McDermott	Snell
Branyon	Engel	Mashburn	Steagall
Brown (Jefferson)	Etheredge	Meade	Stembridge
Brown (Tuscaloosa)	Faulk	Meeks	Sullivan
Burnham	Fields	Merrill	Teel
Burns	Fite	Moore	Thomas
Callahan	Gilmore	Morrow	Tuck
Camp	Glass	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	Nettles	Turnham
Cantrell	Grouby	Owens	Vacca
Carr	Hain	Paulk	Young
Casey			

—105

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Rogers leave of absence was granted to Mr. Wood because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Seventh legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the Seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Seventh legislative day was approved.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 259. To Amend an Act of the Legislature approved September 8th, 1961, being numbered Act No. 710, to provide for the further amending of Act No. 288, approved July 7, 1945 (General Acts of Alabama, 1945, page 478), entitled "An Act To Provide Judicial Officers of the State; to designate them as Supernumerary Circuit Judges; to provide the conditions under which a Judge of the Circuit Court may become a Supernumerary Circuit Judge; to prescribe the qualifications, tenure of office, duties, powers, authority, compensation, and the method of removal from office of such Supernumerary Circuit Judges, and to appropriate funds for the payment of such compensation."

H. 24. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

H. 172. To provide expense allowance to circuit solicitors in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

Mr. Hawkins, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 250. To amend Act No. 516, General Laws of Alabama, approved September 9, 1955, entitled "To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; to provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder, and all documents executed by or delivered to any corporation organized hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used," so as to authorize the acquisition, ownership, leasing and financing by the public corporations therein provided for of hospitals, sanitarium, infirmaries, nursing homes, laboratories, out patient departments and related facilities for the treatment of the sick or injured and diagnosis of their sickness or injury as well as medical clinics and clinical facilities.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

H. 260. To amend Act No. 250 of the regular session of the 1959 Legislature to provide for the administering of oaths and issuing of warrants.

H. 268. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

S. 73. To apply in all counties having populations of not less than 30,550 nor more than 31,000, regulating the compensation of members of the county governing body.

S. 104. For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

S. 107. To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

S. 120. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

S. 121. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

S. 125. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

S. 127. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable

report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 128 (with amendment). To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 129. To apply in all counties having populations of not less than 51,000 nor more than 56,000, regulating the compensation of election officers.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 202 (with substitute). To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the last preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law, with the exception of those sessions provided by Section 27(1), Title 17, 1940 Code of Alabama; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 118. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Mashburn:

H. 270. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Mashburn:

H. 271. Providing further for the compensation of members of the board of registrars in counties having not less than 48,500 nor more than 49,500 population according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Owens, Burns and Nabors:

H. 272. To apply in counties having populations of not less than 96,000 nor more than 106,000; regulating rates and charges of certain public utilities.

Local Legislation No. 1.

By Messrs. Burns, Thomas and Brown (Jefferson):

H. 273. To revise and amend Section 100 of Title 15, 1940 Code of Alabama (as amended), relating to the issuing of search warrants.

Judiciary.

By Mr. Avery:

H. 274. To apply in counties having populations of not less than 19,500 nor more than 20,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like governing body of the county.

Local Legislation No. 1.

By Mr. Drake:

H. 275. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Local Legislation No. 1.

By Messrs. Brown (Jefferson), Gilmore, Rast, Bailes, Collins, Dominick, Locke, Perry, Vacca, Sessions, Bowers, Bethea (M), Etheredge, Bethea (B), Morrow, Meeks and Hawkins:

H. 276. TO REVIVE AND AMEND CERTAIN PARTS OF ACT NO. 433 OF THE LEGISLATURE OF ALABAMA OF 1963, APPROVED SEPTEMBER 2, 1963, (ALA. ACTS, 1963, PAGE 963, ET SEQ.)

Local Legislation No. 2.

By Messrs. Fite and Brewer:

H. 277. To amend Section 103 of Title 13, 1940 Code of Alabama, as amended, relating to the salary of Judges of the Court of Appeals.

Ways and Means.

By Messrs. Fields, Rogers, Edington, McDermott, Engel, Smith, Downing and Hogan (with notice and proof):

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Local Legislation No. 3.

Notice and Proof H. 278:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a Bill substantially as follows will be introduced in the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a Pension and Relief system for the regularly organized and paid members of the police and fire departments of the City of Mobile, which shall be supported, maintained and managed as hereinafter provided.

Section 2. There shall be a special fund in the treasury of the City of Mobile to be designated the Policemen's and Fire Fighter's Pension and Relief Fund which shall be set apart by the comptroller or other person performing the duties of Treasurer of the City of Mobile, and shall be held and maintained as other city funds are held and maintained except as is hereinafter provided.

Section 3. There shall be paid into such Fund, out of the treasury of the City of Mobile, an amount equal to five per cent of the amount of all fines and moneys, except costs of court, paid as a result of prosecutions for violations of ordinances or laws of the City of Mobile, which sums shall be determined and credited to the fund on a monthly basis; two per cent of the monthly salary of every member of the police and fire departments shall be deducted by the proper authority from the monthly salaries of said members of such departments and shall be transferred to the Fund monthly with record kept showing amount credited to each said member; two per cent of the monthly salary of the members of such departments which shall be contributed by the City of Mobile and credited to such Fund monthly; that portion of the assessment that may be fixed by the governing body of the City and added as cost of court in connection with prosecutions for violations of the ordinances of the City of Mobile, provided that the assessment of such costs for this purpose shall not exceed \$3, shall be collected and credited monthly to the Fund; and the Fund shall be credited with any appropriations made by the City when at any time the Fund shall be insufficient to pay the benefits and defray the expenses as provided in this Act. The Board of Commissioners or other governing body of the City of Mobile may appropriate from any funds not otherwise appropriated an amount sufficient to cover such deficiency and may in subsequent budgets provide an amount to cover any anticipated deficits in the Fund.

Section 4. The percentages paid into the City treasury as a result of convictions and prosecutions, court costs, and the sums representing matching payments by the City as provided by Section 3 of this Act are hereby charged with and appropriated to the Policemen's and Fire Fighter's Pension and Relief Fund and shall be so credited by the comptroller or another person performing the duties of Treasurer of the City of Mobile.

Section 5. (a) Moneys may be given or donated to said Fund by any person, firm or association or corporation for the uses and purposes for which said Fund is created, and said Board of Pensions may take by gift, grant, devise or bequest, any money, personal property, real

estate or any interest therein or any right of property for the benefit of such Fund; and such gift, grant, devise or bequest may be absolute or in fee-simple or upon condition that only the rents, income and profits arising therefrom shall be applied to the purposes for which said Fund is created.

(b) Trustees may be appointed by the Board of Pensions for the purpose of receiving, holding or managing any property acquired under subsection (a) hereof, if not otherwise named by the instrument of gift or legacy, and for performing duties in connection with funds or properties under control of the board, and such Trustees shall serve subject to such restrictions and conditions as may be prescribed by the Board; provided, however, no salary shall be paid from the Pension and Relief Fund herein created to any person acting as such Trustee.

Section 6. (a) Each fire insurance company doing business in the City of Mobile shall, on or before the first day of February of each year, pay to the City of Mobile for credit to said Pension and Relief Fund, a sum equal to one-half of one per cent of the gross premiums, less returned premiums, received by such fire insurance companies, or their agents, doing business in the City of Mobile for and on account of business done by it during the preceding year; provided, however, that when said insurance companies pay to the City a sum equal to four per cent of its net premiums, such companies shall not be required to pay the amount herein provided to said Pension and Relief Fund.

(b) Each such insurance company shall on or before the due date of such payment file with the Board of Commissioners or like governing body of the City a statement or report in writing, showing the gross amount of premiums less returned premiums, received by such fire insurance company for and on account of business done by it in the City during the preceding year; which statement or report shall be sworn to by the agent of such fire insurance company in the City, or some other person having knowledge of the facts; and any such fire insurance company failing to make and file such report and statement as aforesaid, shall forfeit to the City of Mobile for use of the Policemen's and Fire Fighter's Pension and Relief Fund, the sum of one thousand dollars, to be recovered against such fire insurance company violating the provisions hereof, or its agents, by suit brought in the name of the City, and all such forfeitures and penalties shall be and become a part of the Policemen's and Fire Fighter's Pension and Relief Fund.

Section 7. The Board of City Commissioners, or other like governing body of the City, is hereby authorized and empowered to set apart and pay into the Pension and Relief Fund not exceeding one per cent of all revenues collected and received by the City from licenses, provided, however, that this section shall not be compulsory.

Section 8. The Board of Pensions hereinafter created is authorized to place in banks at interest and to invest such part of the fund as is not necessarily in use, but such investments shall be limited to United States bonds, state, municipal and county bonds of Alabama. All such securities, funds and moneys shall be maintained and kept separate and apart in special accounts set aside from other moneys and securities of the City, so that they shall at all times be subject to instant use.

Section 9. (a) The Board of Commissioners or other governing body of the City shall create a Board to carry out the provisions of this Act, which shall be designated "The Board of Policemen's and Fire Fighter's Pensions of the City of Mobile", hereinafter called "The Board." The Board shall consist of five reputable persons who are bona fide residents of the City of Mobile and over the age of twenty-one years, one to be an active member of the Mobile Police Department, and one

to be an active member of the Mobile Fire Department. Members of the Board shall hold office for six years and until their successors are appointed, unless sooner removed at any time for good cause by the appointing authority. No member of the Board shall receive any compensation for this.

(b) The Board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Three members of the Board shall constitute a quorum for transaction of business.

(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings, which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section 22 hereof and shall perform such other duties as may be prescribed by the Board.

(e) The Chairman of the Board of Pensions shall provide bond in the penal sum of \$25,000 conditioned upon faithful performance of his duties, the premium of which shall be paid by the City of Mobile from the General Fund.

(f) All applications for pensions and relief under this Act shall be heard and determined by the Board of Pensions.

(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term.

Section 10. All warrants drawn against the fund shall be on order of the Chairman of the Board of Pensions and shall be signed as are other warrants signed and executed by authorized authorities of the City. However, such warrants shall be different in color, or otherwise, so as to distinguish them from other City warrants drawn by said City. No portion of said Policemen's and Fire Fighter's Pension and Relief Funds shall, before or after its order for distribution, be seized or held or in any wise subject to garnishment or levy of execution or attachment issued out of or by any court of this State, or any other State, so far as any debt, damage, demand, claim, judgment or decree against any beneficiary in such funds, but shall be exempt therefrom.

Section 11. Every member of such police and fire departments shall come under the provisions and benefits of this Act, but no member of the Board of Commissioners or of other departments of the City shall be entitled to benefits hereunder.

Section 12. If any member of such police and fire department, while in the performance of his duties, becomes and is found to be temporarily totally disabled, mentally or physically, for services in such police or fire departments, by reason of service therein, the Board of Pensions shall order the payment and there shall be paid from the fund herein provided to such disabled member an amount equal to fifty per cent of his monthly salary, but not to exceed one hundred dollars per month, during such period of total disability. Provided, however, that such member during the period of disability is paid no salary as a member of the police or fire department or any other department of the city, and provided further that such payment shall not continue beyond one

year from the date of the determination of temporary total disability. Such disability shall be determined by the Board of Pensions after report from the City Physician, and such other physicians and surgeons as the Board may consult, and after the consideration of any other evidence the Board may desire to consider.

Section 13. (a) If any member of the police or fire department while in the performance of his duty is found and determined to be physically or mentally permanently disabled for service by reason of such service so as to render his retirement necessary, the Board of Pensions shall make the necessary orders and shall retire such disabled member from service. Upon such retirement the member shall be paid monthly from the Fund, an amount equal to sixty per cent of his monthly salary, the payments to be made during such disability.

(b) Should any member of such police or fire department who has served in such department for a period of fifteen years be found to be physically or mentally permanently disabled (through no misconduct on his part) for service in such police or fire departments, so as to render his retirement from such service necessary, the Board of Pensions shall make the necessary order, and shall retire such disabled member from service and upon such retirement the member shall be paid monthly from the Policemen's and Fire Fighter's Pension and Relief Fund an amount equal to fifty per cent of his monthly salary. Such members under subsection (a) and (b) herein may be called back and examined at any time under the orders of the Board of Pensions, and may be ordered back to active service, or to perform other services in connection with the City, such as he is able to perform, according to the instructions, findings and orders of the Board. While in active service, such pension will not be paid.

Section 14. Any member or former member of the police or fire department who has been in the service thereof for as long as twenty consecutive years, upon making written application to the Board of Pensions therefor, shall, without medical examination or disability, be retired from service in such police or fire department; and, upon such retirement, the said Board of Pensions shall direct the payment to such retired member monthly from the Fund herein created a sum equal to fifty per cent of the monthly compensation or salary received by such member as salary in such fire or police department at the time of his retirement; provided, however, that said payments to said retired member of the police or fire department shall not commence or be effective earlier than the fifty-fifth birthday of the member.

Section 15. (a) Any member or former member of such police or fire department who has been in the service thereof for as long as twenty-five years, the last ten years of which have been continuous, upon making written application to the Board of Pensions shall, without medical examination or disability, be retired from service of such fire or police department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-two and one half per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

(b) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty years, the last ten years of which have been continuous, upon making written application to the Board of Pensions therefor, shall without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum

equal to fifty-five per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

(c) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty five years or longer, the last ten years of which have been continuous, upon making written application to the Board of Pensions thereof shall, without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty fifth birthday of such member, monthly from such Fund, a sum equal to sixty per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

Section 16. (a) Whenever an active or retired member of such police or fire department shall die, there shall be appropriated and paid from the Fund the sum of one hundred dollars for funeral and burial expenses of such deceased member, which sum shall be used for funeral and burial expenses and paid out upon order of the Pension Board to the person or persons designated by the Chief of Police, if decedent was a member of the Police Department, or the Chief of the Fire Department, if decedent was a member of the Fire Department.

(b) Whenever a member of the police or fire department of the city shall die while an active employee thereof with fifteen years or more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, or whenever any member of the police or fire department, regardless of his or her length of service, shall die while on duty or dies before retirement as a result of injuries sustained while on duty, and in either event if such deceased employee shall leave a widow, such widow shall receive fifty per cent of the member's pension entitlement as determined on the date of death of the deceased, but not to exceed one hundred dollars (\$100.00) per month. The widow may receive such payments for the term of her life or until her remarriage, by establishing her eligibility (1) by proof of a bona fide marriage to the deceased consummated not less than one year prior to the date of death, if deceased was an active employee, or one year prior to transfer to the pension roll if deceased was a retired or disabled employee. For the purpose of this Act, proof of a common law marriage shall not be considered a bona fide marriage) (2) upon proof that the claimant and the deceased were living together as man and wife on the date of the death of deceased and had been so living for at least one year prior to the date of his death; and (3) upon supplying such annual proof of continued eligibility as may be required by the Board for continued pension.

(c) Whenever a member of the Police or Fire Departments of the City shall die while an active employee thereof with fifteen years or more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, or whenever any member of the Police or Fire Department, regardless of his or her length of service, shall die while on duty or dies before retirement as a result of injuries sustained while on duty, and in either event if such deceased employee shall leave no widow, but shall leave an unmarried child or children under the age of eighteen on the date of his death, such child or children shall receive the widow's benefit as herein provided not to exceed one hundred dollars (\$100.00) per month, which payments shall be made through a guardian until the youngest child reaches the age of eighteen, or is married.

(d) Whenever the employment of a member of the Police or Fire Department of the City shall be terminated by death or for any other reason before eligibility for benefits has been established, the contribution of such employee to the Fund shall be refunded in lump sum without interest to the employee, his widow or children, a named beneficiary, or to his estate, as the case may be. Prior service of an employee rehired after termination and refund as herein provided shall not count toward future retirement.

Section 17. In all matters involving the disability or sickness of members of the Police or Fire Department, the Board of Pensions may cause such disabled or sick member to be examined by the City Physician, and such other reputable physicians or surgeons as it may select, who shall report to the Board in writing the result of such examination or examinations and it is hereby made the duty of the City Physician, when requested by the Board to make such examination and to report his findings as herein provided. Any member of the Police or Fire Department who refuses to allow such examinations as may be considered necessary by the Board shall, during the continuance of such refusal, be debarred from receiving any benefits whatever under this Act.

Section 18. Members of the Police and Fire Departments of the City of Mobile who shall receive the benefits of this Act shall continue to receive such benefits only during the period of their eligibility thereof, and shall submit annually and at such other times as ordered by the Board such statements or other evidence of eligibility as may be required by the Board.

Section 19. Should the Pension and Relief Fund at any time be insufficient or inadequate to pay pensions to those properly entitled to receive same, the person or persons so entitled to payments shall not file suit for payment thereof but the Board of Pensions shall have absolute discretion as to what portion of the pension shall be paid, and when there are several persons entitled to payments, and the funds are insufficient to pay them in full, the Board of Pensions shall prorate the available amount to the respective claimants. However, at no time shall the payments exceed the limits fixed in this act.

Section 20. There shall be kept by the Secretary of the Board of Pensions a book in which shall be maintained a list of retired policemen and fire fighters. Such book shall also give a full and complete history and record of the action of the said Board in retiring any and all persons under this Act and shall show the names, date of entering service in such police or fire departments, periods of employment, date of retirement and the reason for such retirement and such other information as the Board may require, including written requests from members desiring retirement.

Section 21. It shall be the duty of the City Attorney of Mobile to give advice to the Board of Pensions in all matters pertaining to the duties of the Board and the management of the Pension and Relief Fund, whenever requested to do so, and shall represent and defend the Board as its attorney in all suits and actions at law or in equity that may be brought against it or the City of Mobile in connection with its duties, and during all suits and actions in its behalf that may be required or determined upon by the Board.

Section 22. Any member of the Police or Fire Department of the City of Mobile may elect at any time not to come within the provisions of this Act, and should he so elect, no part of his salary shall be deducted for the Pension and Relief Fund. His election must be in writing, signed by him, and filed with the Board of Pensions. Thereafter, he

shall not be allowed to come within the provisions or be entitled to the benefits of this Act, unless he first makes application to the Board of Pensions, and such Board may use its discretion in the premises, but said persons shall not be credited for services in the Police or Fire Departments for the time during which he was not bound by the provisions of this Act.

Section 23. In case of any dispute arising out of this Act or any of its provisions or on any decision relating to application for benefits, the decision of the Board of Pensions shall be final. In no event shall any suit be filed against the Board of Pensions, any of its members or the Board of Commissioners or other governing authority of the City, for the recovery of any pension or to enforce any of the provisions of this Act. However, should any suit be brought on behalf of the City or the Board of Pensions, it shall be brought in the name of the City of Mobile, and not in the name of the Board of Pensions.

Section 24. All powers, duties and responsibilities related to the establishment and administration of a pension and relief system for policemen and firemen for the City of Mobile which have heretofore been exercised by the Board of Commissioners or any other board or agency of the City of Mobile for the purpose of administering such system, created under authority of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350), shall be vested in the Board of Pensions herein created and established; all funds, books, records, supplies and equipment and all other assets of any kind or nature created and used in the administration of such former pension and relief system shall be transferred to and administered by the Board of Pensions herein created; and all accrued rights and liabilities under any former pension and relief system for policemen and firemen of the City shall be retained and preserved and all obligations and duties under such former system shall be fully performed in the same manner and to the same extent by the Board of Pensions created by this Act as they would have been performed by any authority replaced by the board of pensions.

Section 25. All laws and parts of laws and specifically that part of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350) in conflict with this Act are repealed.

Section 26. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 27. This Act shall take effect October 1, 1964 and shall not have retroactive application.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 28 Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

By Messrs. Engel, McDermott, Edington, Fields, Hogan, Rogers, and Downing (with notice and proof):

H. 279. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make

available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Local Legislation No. 3.

Notice and Proof H. 279:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application and its passage and enactment will be made to wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance," is hereby amended to read as follows:

"Section 1. The board of Revenue and Road Commissioners or other governing body of Mobile County, is authorized and directed to appropriate from county funds, and to make available to the sheriff of Mobile County at the beginning of each fiscal year, an allowance of seven thousand dollars (\$7,000) a year, to be used by the sheriff to purchase uniforms for the use of the deputies sheriff employed in the sheriff's department. The allowance authorized herein shall be subject to the direct supervision and control of the sheriff of Mobile County, and shall be expended at his discretion and in his best judgment as to the most advantageous purchases to the county."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, July 28, Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18 day of August, 1964.

ROSALIE PERGANTIS,
Notary Public.

By Messrs. Engel, McDermott, Edington, Fields, Hogan and Rogers (with notice and proof):

H. 280. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer; "to provide further for the compensation of the chief clerk in the office of the sheriff.

Local Legislation No. 3.

Notice and Proof H. 280:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a Bill substantially as follows will be introduced in the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide further for the compensation of the chief clerk in the office of the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerk, guards and other as-

sistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," as amended is amended further to read as follows:

"Section 3. The Sheriff of Mobile County, Alabama, may, after the effective date of this act, employ the following assistants at the following rate of compensation, viz: One (1) chief deputy sheriff to receive seven thousand two hundred dollars (\$7,200) per annum; one assistant chief deputy sheriff to receive six thousand six hundred dollars (\$6,600) per annum; not less than eight (8) civil and criminal deputy sheriffs to receive not less than fifteen hundred dollars (\$1,500) each per annum; one (1) civil and criminal deputy sheriff, who shall also act as bailiff of the Inferior Court of Mobile County, Alabama, to receive not less than fifteen hundred dollars (\$1,500) per annum; three (3) part-time deputy sheriff to receive not less than six hundred dollars (\$600) each per annum; not less than four (4) jail guards to receive not less than fifteen hundred dollars (\$1,500) each per annum; one chief clerk to receive seven thousand two hundred dollars (\$7,200) per annum; one (1) office employee to receive not less than eighteen hundred dollars (\$1,800) per annum; two (2) office employees to receive not less than fifteen hundred dollars (\$1,500) each per annum; one (1) office employee to receive not less than nine hundred dollars (\$900) per annum; one (1) jail matron to receive not less than one thousand dollars (\$1,000) per annum; one (1) kitchen steward to receive not less than nine hundred dollars (\$900) per annum. Each of the foregoing assistants shall receive their compensation in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County. The power and authority to fix the salaries of each and every assistant herein provided for above the minimum amounts named in this section is hereby conferred on the Personnel Board of the Civil Service System of Mobile County, Alabama; and all assistants affected hereby except the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be subject to all the terms and provisions of the Civil Service Act relating to Mobile County, said act having been passed at the 1939 Session and being House Bill No. 952 and having been approved September 15, 1939; provided however, that the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be qualified electors of Mobile County at the time of their appointment and during their continuance in office. The chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk shall each give bond in an amount to be determined by the Sheriff, such bond to be conditioned as prescribed by law. Nothing herein contained shall be construed as depriving the Personnel Board of the Civil Service System of Mobile County, Alabama, of authority to provide additional assistants for the Sheriff of Mobile County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, July 28, Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

By Messrs. Rogers, Edington, McDermott, Engel, Downing, Smith and Hogan (with notice and proof):

H. 281. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

Local Legislation No. 3.

Notice and Proof H. 281:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the next special session of the legislature of the State of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335; is hereby amended to read as follows:

"Section 1. The judge of probate of Mobile County may, in his discretion, create and establish such administrative division in his office as he may determine necessary or convenient in the efficient and expeditious performance of the functions and duties of his office. He may assign functions and duties to such divisions, and may delegate to the chiefs thereof such powers as he may deem proper. The judge may reassign functions and duties as between existing divisions. The chiefs of such divisions shall be appointed by the judge of probate, and shall serve as his pleasure, but shall not be related to him by blood or by marriage. The salary of the chief of any such division shall be not less than \$6,000 annually and not more than \$7,500.00 annually, the amount to be fixed by the judge of probate, to be paid in equal installments, as the salaries of other county employes are paid. The chiefs of divisions provided for in this Act shall be in addition to any other clerks or assistants heretofore provided by law or approved and designated as such by the Mobile County Personnel Board. The probate judge may, in his discretion, abolish or discontinue any position existing in his office, including the office of chief clerk of the probate court of Mobile County presently provided for by statute, upon the establishment of divisions as provided in this Act, but no such position shall be abolished without his approval."

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register July 28, Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

By Messrs. Engel, McDermott, Edington, Rogers, Downing and Hogan
(with notice and proof):

H. 282. To provide for the levy and collection by the governing body of Mobile County, if and when approved by a majority of the qualified electors of Mobile County participating in a referendum election, of an annual license tax and registration fee in the amount of \$10.00 upon every self-propelled motor vehicle, as defined in Section 692, Title 51, Code of Alabama of 1940, as amended, owned by any individual who is a resident of Mobile County and upon every self-propelled motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County; for the exemption of such motor vehicles owned and used by the State and Counties and municipalities of the State; for the proration of and for the time and manner for the payment of the license tax and registration fee; for providing for the enforcement of the Act and for penalties and fines for violation thereof; for authorizing the governing body of Mobile County to adopt and promulgate rules and regulations and to pay all expenses and costs necessary for or incidental to the collection and enforcement of the license tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the entire proceeds of said tax and fee shall be paid to and used solely for public hospital purposes by the Mobile County Hospital Board, to provide for the method and time of holding such referendum election or elections.

Local Legislation No. 3.

Notice and Proof H. 282:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the levy and collection by the governing body of Mobile County, if and when approved by a majority of the qualified electors of Mobile County participating in a referendum election, of an annual license tax and registration fee in the amount of \$10.00 upon every self-propelled motor vehicle, as defined in Section 692, Title 51, Code of Alabama of 1940, as amended, owned by any individual who is a resident of Mobile County and upon every self-propelled motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County; for the exemption of such motor vehicles owned and used by the State and Counties and municipalities of the State; for the proration of and for the time and manner for the payment of the license tax and registration fee; for providing for the enforcement of the Act and for penalties and fines for violation thereof; for authorizing the governing

body of Mobile County to adopt and promulgate rules and regulations and to pay all expenses and costs necessary for or incidental to the collection and enforcement of the license tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the entire proceeds of said tax and fee shall be paid to and used solely for public hospital purposes by the Mobile County Hospital Board; to provide for the method and time of holding such referendum election or elections.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Mobile County is authorized to levy, in addition to all other taxes, licenses and fees of every kind now imposed by law, an annual license tax and registration fee in an amount of \$10.00 upon every self-propelled motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, which is owned by any individual who is a resident of Mobile County and upon every such vehicle used or operated in said County and owned by any corporation, firm or association, which has an office or place of business in said County (herein referred to as the "tax and fee"); provided, however, that the levy of such tax and fee shall have been approved by a majority of the qualified electors of Mobile County participating in a referendum election or elections held from time to time, as provided in Section 9.

Section 2. Motor vehicles owned and used by the State, and Mobile County or municipalities of Mobile County, shall not be liable for the payment of the tax and fee authorized by this Act.

Section 3. Self-propelled motor vehicles brought into Mobile County or new self-propelled motor vehicles, for which licenses have never been issued, sold from the stock of a dealer during any tax year to any person subject to the annual tax and fee authorized by this Act, during the following periods, or portions of any tax year, shall be subject to the annual tax and fee authorized by this Act, as follows:

(a) For the period from and including the first day of October; but before the first day of January following, the full tax and fee;

(b) For the period after the last day of December, but before the first day of April following, three-fourths ($\frac{3}{4}$) of the tax and fee;

(c) For the period after the last day of March but before the first day of July following, one-half ($\frac{1}{2}$) of the tax and fee; and

(d) For the period after the last day of June but before the first day of October following, one-fourth ($\frac{1}{4}$) of the tax and fee.

Section 4. The License Commissioner of Mobile County shall collect the annual tax and fee authorized by this Act from the owner of such motor vehicle at the time he collects the State license and registration fee levied on such motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama of 1940, or any laws amendatory thereof or supplementary thereto, and shall maintain complete records of each transaction on forms to be prescribed and furnished by the governing body of Mobile County, but the License Commissioner shall not be allowed, nor shall he retain or collect, any fee for collecting the fee. Until the tax and fee has been paid, the License Commissioner shall not issue a motor vehicle license tag for use on any such motor vehicle upon which the tax and fee is imposed pursuant to this Act.

Section 5. The tax and fee shall become due and be delinquent at the same time as the State license and registration fee levied on motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of

Alabama of 1940, or any laws amendatory thereof or supplementary thereto, next following the levy of said tax and fee by the governing body of Mobile County, and on the same day in each year thereafter. No motor vehicle upon which the tax and fee is imposed shall be operated upon the public highways of Mobile County until said tax and fee shall have been paid, as herein provided. The purchaser of any self-propelled motor vehicle shall have four days from the date of acquisition within which to pay the tax and fee.

Section 6. Any state, county or municipal law enforcement officer or license inspector is authorized to issue citations to persons failing to comply with the provisions of this Act. Any person failing to pay the said tax and fee, as herein provided, shall, upon payment, pay a penalty of twenty-five dollars in addition to the tax and fee and shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars and not exceeding one hundred dollars for each offense, which penalties and fines shall be paid and used as the tax and fee.

Section 7. The governing body of Mobile County shall have the power and authority to adopt and promulgate rules and regulations necessary for the collection and enforcement of the tax and fee. All the expenses and costs for collecting, administering, enforcing and providing the evidence of the payment of the tax and fee shall be paid for by Mobile County.

Section 8. The proceeds of the tax and fee shall be paid over to the Mobile County Hospital Board within ten days after the end of each month, provided, however, that for the months of October, November and December of each calendar year, the License Commissioner shall be granted an additional period of ten days in which to make the remittances and payments required hereunder. Such proceeds shall be used by the Mobile County Hospital Board for public hospital purposes, as defined in the Act and in the Certificate of Incorporation under and by which it was incorporated. The License Commissioner shall keep the receipts from the tax and fee separate and apart from all other funds and shall keep a clear and distinct account thereof and shall turn the same over to the Mobile County Hospital Board, as herein provided, whose duty it shall be to receipt therefor.

Section 9. The governing body of Mobile County is authorized to call and provide for the holding of a referendum election from time to time for the purpose of determining the sentiment of the qualified electors of Mobile County on the question of whether the governing body of Mobile County may levy the annual tax and fee upon every self-propelled motor vehicle, as defined herein, and must call any such referendum election within three months after the receipt by the said governing body (a) of a certified copy of a resolution duly adopted by the Mobile County Hospital Board, or (b) of a petition signed by not less than five per cent of the qualified electors of Mobile County, calling for such referendum election. The governing body of Mobile County shall declare the results of each referendum election. All elections held under the provisions of this Act shall be called, held, conducted and canvassed and may be contested in the same manner as provided by law for county bond elections, provided, however, the notice of election need be published only once a week in each of two consecutive weeks, the first such publication to be not less than ten days prior to the date of election, it being the intention hereof that the power of the governing body of Mobile County to call elections hereunder, and its duty to call them upon receipt of the resolutions or petitions as herein provided, shall be continuous, subject only to the requirement that not more than one referendum election may be held hereunder during any period of twelve consecutive months.

Section 10. All laws and parts of laws in conflict with any provision of this Act are hereby repealed.

Section 11. If any section, clause or provision of this Act shall be, or be declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 12. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor or upon its otherwise becoming law.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, Aug. 1, 3, 10, 17, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 17th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

By Mr. Jones (Monroe):

H. 283. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Local Legislation No. 1.

By Mr. Jones (Monroe):

H. 284. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

McDOWELL LEE,
Secretary.

A BILL TO BE ENTITLED AN ACT

To provide for congressional districts and for the election of congressmen by districts, amending Code 1940, Title 17, Sections 425 and 426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is amended to read as follows:

"Section 425. The State is hereby divided into eight congressional districts as follows: The first district shall be composed of the counties of Mobile, Washington, Choctaw, Clarke, Monroe and Wilcox. The second district shall be composed of the counties of Baldwin, Butler, Conecuh, Covington, Crenshaw, Escambia, Lowndes, Montgomery and Pike. The third district shall be composed of the counties of Barbour, Bullock, Chambers, Coffee, Dale, Geneva, Henry, Houston, Lee, Macon, Russell and Tallapoosa. The fourth district shall be composed of the counties of Autauga, Dallas, Elmore, Coosa, Clay, Randolph, Cleburne, Calhoun, Talladega and St. Clair. The fifth district shall be composed of the counties of Shelby, Bibb, Perry, Marengo, Sumter, Greene, Hale, Chilton, Pickens and Tuscaloosa; also, all that territory in Jefferson County in Precincts 33 and 53, as such precincts were constituted on August 1, 1961. The sixth district shall be composed of all that part of Jefferson County not included in the fifth district as aforesaid. The seventh district shall be composed of the counties of Lamar, Fayette, Marion, Franklin, Walker, Winston, Cullman, Blount, Marshall, Etowah, DeKalb, and Cherokee. The eighth district shall be composed of the counties of Colbert, Lauderdale, Lawrence, Limestone, Morgan, Madison and Jackson."

Section 2. Code 1940, Title 17, Section 426 is amended to read as follows:

"Section 426. Each congressional district described in the preceding section is entitled to elect one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in 1964, and every two years thereafter."

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SENATE MESSAGE

Mr. Fite moved that the House non-concur in the Senate substitute for the bill, H. 114, set out in the above and foregoing Message from the Senate, and request a Committee of Conference.

Mr. Turner (Crenshaw) offered a substitute motion that the House concur in and adopt the Senate substitute for the bill, H. 114.

Mr. Little moved that further consideration of the Senate substitute for the bill, H. 114, be postponed until the twenty-eighth legislative day.

RESOLUTION

The motion of Mr. Thomas to suspend the rules in order to introduce a resolution out of order was adopted.

And the following resolution was introduced:

By Messrs. Thomas, Albea, Avery, Bailes, Baker (DeKalb), Baker (Madison), Barnett, Bassett, Bethea (B), Bethea (M), Beville, Blanton, Bolton, Boston, Bowers, Branyon, Brewer, Brown (Jefferson), Brown (Tuscaloosa), Burnham, Burns, Callahan, Camp, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Carr, Casey, Cates, Collins, Cook, Cooper, Cornett, Crawford, Daniel, Davis, Doggett, Dominick, Downing, Drake, Edington, Edwards (Escambia), Edwards (Lowndes), Engel, Etheredge, Faulk, Fields, Fite, Gilmore, Glass, Goldthwaite, Goodwyn, Grouby, Hain, Hankins, Hannah, Harper, Hawkins, Heflin, Hester, Hogan, Holladay, Ingram, Jones (Covington), Jones (Monroe), Little, Locke, McCorquodale, McDermott,

Mashburn, Meade, Meeks, Merrill, Moore, Morrow, Nabors, NeSmith, Nettles, Owens, Paulk, Pennington, Perry, Pierce, Posey, Powell, Pruitt, Rast, Reynolds, Rogers, Salter, Scurlock, Sessions, Slate, Smith, Snell, Steagall, Stembridge, Sullivan, Teel, Tuck, Turner (Crenshaw), Turner (Limestone), Turnham, Vacca, Wood, Young:

H. J. R. 33. WHEREAS the approaching retirement of Dr. Ralph Brown Draughon from the presidency of Auburn University marks the culmination of one stage of his long and illustrious career, both in the academic world and in public service; and

WHEREAS Dr. Draughon born in Hartford, Alabama, the son of John William and Vashiti Roney Draughon, families long prominent in shaping the history of Alabama and of the South, was educated in Alabama schools and colleges with graduate study at the University of Chicago. Dr. Draughon earned both his bachelor and masters degrees, was awarded an L. L. D. degree by both Birmingham-Southern and the University of Alabama, and an L.H.D. by Howard College; and

WHEREAS Dr. Drauhon, teacher, principal, college professor, and administrator, brought to the presidency of Auburn an unusual amount of practical experience and ability which combined with his scholarly attitude, personal charm, and business acumen, have resulted in a most successful administration. During Dr. Draughon's sixteen-year administration Auburn's total enrollment has increased nearly fifty percent with the largest increase being in the graduate area which has increased five-fold. Other major increases have been in the School of Education, Science and Literature, and Engineering. All programs leading to the doctorate and many of those leading to the masters degrees at Auburn have been initiated under Dr. Draughon's administration, with more than one hundred doctoral degrees having already been awarded. Every school and department at Auburn is today fully accredited by every regional and national accrediting agency. More than forty percent of the teaching faculty on campus now hold the Ph.D. or other terminal degree as compared with only twelve percent at the beginning of Dr. Draughon's administration; and

WHEREAS more than fifty major buildings representing a capital outlay in excess of thirty million dollars have been built during this sixteen year period, which more than doubles the previously existing facilities of the University. The first phase of the Auburn University Development Program was successfully completed by reaching its initial monetary goal. Research funds at Auburn University account for more than twenty percent of expenditures, most of which are in the life and physical sciences, and with an overall total of six million dollars for research; and

WHEREAS many honors have come to Dr. Draughon and his inclusion in the membership of numerous associations, boards, and scholastic fraternities attest the esteem in which he is held by his colleagues; and

WHEREAS a recital of Dr. Draughon's accomplishments in enlarging the size and adequacy of the physical plant, and in acquiring a stronger faculty with a steadily increasing enrollment is indeed an impressive one, it would be incomplete without the inclusion of the many contributions which Dr. Draughon has made to the thousands of students whose lives were influenced by his teaching and wise counsel, and who will long remember his many personal kindnesses and quiet understanding; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to express its deepest appreciation to Dr. Draughon for his most successful administration as President of Auburn University and for his many contribu-

tions to all levels of education in Alabama. Every best wish is extended to Dr. Draughon for many more years of fruitful endeavor as well as for years of enjoyable retirement which he so richly deserves.

On motion of Mr. Thomas the rules were suspended and H. J. R. 33 was adopted.

RECESS

On motion of Mr. Thomas the House recessed to hear an address by Dr. Ralph Brown Draughon, President of Auburn University.

Miss Vicki Powers, "Miss Alabama," was introduced by Mr. Edington.

The House reconvened. The Speaker called the House to order.

CONSIDERATION OF H. 114 RESUMED

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

Was again taken up.

The question was on the motion of Mr. Little to postpone further consideration of the Senate substitute for the bill, H. 114, until the twenty-eighth legislative day, and on motion of Mr. Turner (Crenshaw) said motion was laid upon the table.

Yeas 72; Nays 22.

Yeas:

Mr. Speaker	Casey	Goodwyn	Paulk
Albea	Cates	Grouby	Pennington
Bailes	Cook	Hannah	Powell
Baker (DeKalb)	Cooper	Harper	Pruitt
Baker (Madison)	Cornett	Heflin	Rast
Barnett	Crawford	Holladay	Reynolds
Bassett	Daniel	Ingram	Salter
Bevill	Davis	Jones (Covington)	Scurlock
Bolton	Doggett	Jones (Monroe)	Slate
Boston	Dominick	McCorquodale	Smith
Brown (Tuscaloosa)	Downing	McDermott	Steagall
Burnham	Drake	Mashburn	Stembridge
Burns	Edington	Meeks	Sullivan
Callahan	Edwards (Lowndes)	Merrill	Teel
Camp	Engel	Moore	Tuck
Campbell (Jackson)	Faulk	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Fields	NeSmith	Turnham
Cantrell	Glass	Owens	Young

—72

Nays:

Messrs.	Brown (Jefferson)	Hankins	Perry
Bethea (B)	Carr	Hawkins	Posey
Bethea (M)	Edwards (Escambia)	Hester	Rogers
Blanton	Fite	Little	Sessions
Bowers	Gilmore	Locke	Vacca
branyon	Goldthwaite	Nettles	

—22

Mr. Bethea (M) moved to lay on the table the substitute motion of Mr. Turner (Crenshaw) that the House concur in and adopt the Senate substitute for the bill, H. 114, and said motion was lost.

Yeas 30; Nays 70.

Yeas:

Messrs.	Carr	Hester	Perry
Baker (DeKalb)	Collins	Hogan	Posey
Bethea (R)	Fite	Little	Rast
Bethea (M)	Gilmore	Locke	Rogers
Blanton	Goldthwaite	Mashburn	Salter
Bowers	Hankins	Meeks	Sessions
Branyon	Harper	Morrow	Vacca
Brown (Jefferson)	Hawkins	Nettles	

—30

Nays:

Mr. Speaker	Cates	Grouby	Pierce
Albea	Cook	Hannah	Powell
Avery	Cooper	Heflin	Pruitt
Bailes	Cornett	Holladay	Reynolds
Baker (Madison)	Crawford	Ingram	Scurlock
Barnett	Daniel	Jones (Covington)	Slate
Bassett	Doggett	Jones (Monroe)	Smith
Bevill	Dominick	McCorquodale	Snell
Bolton	Downing	McDermott	Steagall
Boston	Drake	Meade	Stembridge
Burnham	Edington	Merrill	Sullivan
Burns	Edwards (Escambia)	Moore	Teel
Callahan	Edwards (Lowndes)	Nabors	Tuck
Camp	Engel	NeSmith	Turner (Crenshaw)
Campbell (Jackson)	Faulk	Owens	Turner (Limestone)
Campbell (Tuscaloosa)	Fields	Paulk	Turnham
Cantrell	Glass	Pennington	Young
Casey	Goodwyn		

—70

Mr. Nettles then moved that further consideration of the Senate substitute for the bill, H. 114, be postponed until the tenth legislative day, and on motion of Mr. Turner (Crenshaw) said motion was laid upon the table.

Yeas 70; Nays 29.

Yeas:

Mr. Speaker	Cates	Grouby	Pierce
Albea	Cook	Hannah	Powell
Avery	Cooper	Heflin	Pruitt
Bailes	Cornett	Hogan	Rast
Baker (Madison)	Crawford	Holladay	Reynolds
Barnett	Daniel	Ingram	Salter
Bassett	Doggett	Jones (Covington)	Scurlock
Bevill	Dominick	Jones (Monroe)	Slate
Bolton	Downing	McDermott	Smith
Boston	Drake	Meade	Snell
Burnham	Edington	Meeks	Steagall
Burns	Edwards (Escambia)	Merrill	Sullivan
Callahan	Edwards (Lowndes)	Moore	Teel
Camp	Engel	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Faulk	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Fields	Paulk	Turnham
Cantrell	Glass	Pennington	Young
Casey	Goodwyn		

—70

Nays:

Messrs.	Carr	Hester	Perry
Baker (DeKalb)	Collins	Little	Posey
Bethea (B)	Fite	Locke	Rogers
Bethea (M)	Gilmore	McCorquodale	Sessions
Blanton	Goldthwaite	Mashburn	Stembridge
Bowers	Hankins	Morrow	Tuck
Branyon	Harper	Nettles	Vacca
Brown (Jefferson)	Hawkins		

—29

MOTION TO ADJOURN LOST

The motion of Mr. Posey that the House adjourn until Thursday, August 20, 1964, at ten o'clock A.M., was lost.

Yeas 21; Nays 73.

Yeas:

Messrs.	Collins	Hester	Perry
Bethea (B)	Fite	Little	Sessions
Bethea (M)	Gilmore	Locke	Stembridge
Blanton	Goldthwaite	Morrow	Tuck
Branyon	Harper	Nettles	Vacca
Brown (Jefferson)	Hawkins		

—21

Nays:

Mr. Speaker	Cates	Grouby	Pennington
Albea	Cook	Hannah	Pierce
Avery	Cooper	Heflin	Powell
Bailes	Cornett	Hogan	Pruitt
Baker (Madison)	Crawford	Holladay	Rast
Barnett	Daniel	Ingram	Reynolds
Bassett	Doggett	Jones (Covington)	Salter
Bevill	Dominick	Jones (Monroe)	Scurlock
Bolton	Downing	McDermott	Slate
Boston	Drake	Mashburn	Smith
Bowers	Edington	Meade	Snell
Burnham	Edwards (Escambia)	Meeke	Steagall
Burns	Edwards (Lowndes)	Merrill	Sullivan
Callahan	Engel	Moore	Teel
Camp	Faulk	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Fields	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Owens	Turnham
Cantrell	Goodwyn	Paulk	Young
Casey			

—73

REMARKS OF MR. SULLIVAN

On request of Mr. Turnham, the following remarks of Mr. Sullivan were inserted in the Journal:

Mr. Speaker, Lady and Gentlemen of the House:

Only 175 years after our forefathers ordained the Constitution of the United States, the document has largely fallen into disuse. Some of the clauses that still remain in operation are being given an interpretation stretched far beyond their original meaning. We see an increasing power being exercised by the Judiciary over the other branches of the Federal Government, as the rights of the Sovereign States are gradually being extinguished.

One hundred and seventy-five years is a relatively brief span in world history and few republics have been able to maintain for even as long as two centuries their original pattern of a democratic system.

The United States has the largest population that has ever lived under a republican form of government. But the safeguards of democracy are being rapidly demolished and our system of government is being invaded today by the same deceptive Trojan Horses that the government of yesteryears encountered in those fateful periods when the doctrine that "the end justifies the means" became the political gospel of the day.

Our written Constitution, established in 1789, and amended in the intervening years to meet changing conditions, is being deliberately disregarded and the doctrine of conformity by coercion is being espoused, not only by our so-called intellectual groups, but also by our vote-seeking politicians in our great society.

The words of the Constitution, of course, explicitly specify that rights granted to the people cannot be taken away and that they can be surrendered only by the votes of the people themselves, through the action of two-thirds of both houses of Congress, and the ratification of three-fourths of the state legislature. This method of effecting a change in the Constitution is sometimes called a cumbersome process, but the procedure for amending was purposely made slow-moving so as to protect the minority and save it from the intolerance of the majority. . . If we are to be governed by an unwritten constitution, the parliamentary formula of Canada or Great Britain has in it much to be commended, but as long as we pay homage to a written constitution we are duty bound to abide by it until such time as it is amended or a substitute is adopted by the process prescribed in the original compact between the states.

We can hardly believe our own eyes, however, as we re-read the provisions of the Constitution that have been torn to shreds by the autocratic action of a judicial oligarchy. Here, for instance, are the exact words of two amendments included in the "Bill of Rights", adopted in 1791:

Article Nine: The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

Article Ten: The powers not delegated to the United States by the Constitution nor prohibited by it to the states, are reserved to the states respectively, or to the people.

The words "United States" mean the Federal Government. Since it is stipulated that only the powers specifically delegated to the Federal Government by the Constitution can be exercised by the Executive, Legislative, or Judicial branches of the United States Government, an attempt to usurp any other rights not so granted is a plain violation of both the letter and the spirit of the Constitution.

Yet today we see the Supreme Court telling the states how they shall constitute the upper and lower houses of their legislatures, how the public schools in states, counties and cities shall be operated, what taxes shall be levied, and how powers of local police to deal with violence and trespassing must be curtailed whenever a disorderly "demonstration" or a "sit-in" is ruled to be mere freedom of expression.

Certainly Congress has the power to regulate "interstate commerce"; but nowhere in the Constitution is the right given to construe that phrase as covering the age-old uses of private property . . . in fact, the Constitution says that no citizen shall be deprived of his property unless it is confiscated for public purposes and compensation is made. If, how-

ever, the phrase "interstate commerce" is to be applied arbitrarily to regulate the entire economic and social life of the nation, the Constitution vanishes.

We are witnessing, moreover, the impairment of the rights of the states to maintain law and order. For instance, to prevent or quell local disturbances, Federal troops have recently been sent into two states . . . without the request of the Governors or the Legislatures, as is required by the Constitution. The Constitution, as the protector of the rights of the states and of the people, is thus being eroded. Usurpation has been passively accepted. The only question now is whether public opinion can be aroused, and will act in time. For our written Constitution . . . as the bulwark of human rights under a Republican form of government . . . is rapidly vanishing.

The historic balance of political power in the United States is being overturned by a half-dozen men in the Supreme Court, who are amending the Constitution by judicial decisions, expressing their own notions of what the proper balance should be. Going where the judiciary has never before dared go, they are destroying the ancient guardian of check and balance, which has distinguished the oldest practicing democracy in the world. The framers of our Constitution never intended that five or six men would rule this country. The meaning of their course is ultimately to make the urban parts and interest of this nation the unchallenged and total masters of our affairs, in the legislative arms of government . . . national and state . . . as the urban groups already master the selection of any President. This extraordinary truth . . . and surely hardly one in a hundred Americans is aware of what the Court is really doing . . . is now confirmed beyond further doubt, in a new ruling, that both houses of the State Legislature hereafter must be apportioned on population basis. Also, this same Supreme Court, in assertion of its dominance over the political processes of this Nation, was foreshadowed last February when it ruled that Congressional districts, too, must be based strictly on population basis alone.

The Court, under Chief Justice Earl Warren, against the solemn warnings of an anxious minority of the judges, is striking down the whole principle of a weighted democracy, which is to say of a responsible democracy.

For nearly two centuries the practice has been to define the so-called popular legislative chambers . . . the national and state house of representatives roughly on the basis of population, but to allow the upper bodies . . . the Senate, to be based in part on geographic interest.

France destroyed its republican form of government a few years ago in this same manner and had to resort to a pseudo-king in General Charles DeGaulle to lead them out of the wilderness.

President Jefferson urged that all people think, and think for themselves. Can it be said that the wisdom of this great man is wrong today? The freezing of all political ideas into one political thought is the surest way of destroying any democracy. Will we stand idly by and see ours destroyed?

CONSIDERATION OF H. 114 RESUMED

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

Was again taken up.

Mr. Little moved that further consideration of the Senate substitute for the bill, H. 114, be postponed until the thirteenth legislative day,

and on motion of Mr. Turner (Crenshaw) said motion was laid upon the table.

Yeas 72; Nays 30.

Yeas:

Mr. Speaker	Casey	Grouby	Pennington
Albea	Cates	Hannah	Pierce
Avery	Cook	Harper	Powell
Bailes	Cooper	Heflin	Pruitt
Baker (Madison)	Cornett	Hogan	Reynolds
Barnett	Crawford	Holladay	Scurlock
Bassett	Daniel	Ingram	Slate
Bevill	Doggett	Jones (Covington)	Smith
Bolton	Dominick	Jones (Monroe)	Snell
Boston	Downing	McDermott	Steagall
Brown (Tuscaloosa)	Drake	Meade	Stembridge
Burnham	Edington	Meeks	Sullivan
Burns	Edwards (Escambia)	Merrill	Teel
Callahan	Engel	Moore	Thomas
Camp	Faulk	Nabors	Tuck
Campbell (Jackson)	Fields	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Owens	Turnham
Cantrell	Goodwyn	Paulk	Young

—72

Nays:

Messrs.	Carr	Hankins	Nettles
Baker (DeKalb)	Collins	Hawkins	Perry
Bethea (B)	Edwards (Lowndes)	Hester	Posey
Bethea (M)	Etheredge	Little	Rogers
Blanton	Fite	Locke	Sessions
Bowers	Gilmore	McCorquodale	Turner (Crenshaw)
Branyon	Goldthwaite	Mashburn	Vacca
Brown (Jefferson)	Hain	Morrow	

—30

The question was then on the substitute motion of Mr. Turner (Crenshaw) that the House concur in and adopt the Senate substitute for the bill, H. 114, and said motion was adopted.

Yeas 72; Nays 30.

Yeas:

Mr. Speaker	Cook	Hain	Pierce
Albea	Cooper	Hannah	Powell
Avery	Cornett	Heflin	Pruitt
Bailes	Crawford	Hogan	Reynolds
Baker (Madison)	Daniel	Holladay	Salter
Barnett	Doggett	Ingram	Slate
Bassett	Dominick	Jones (Covington)	Smith
Bolton	Downing	Jones (Monroe)	Snell
Boston	Drake	McCorquodale	Steagall
Brown (Tuscaloosa)	Edington	McDermott	Stembridge
Burnham	Edwards (Escambia)	Mashburn	Sullivan
Callahan	Edwards (Lowndes)	Meade	Teel
Camp	Engel	Merrill	Thomas
Campbell (Jackson)	Faulk	Moore	Tuck
Campbell (Tuscaloosa)	Fields	Nabors	Turner (Crenshaw)
Cantrell	Glass	NeSmith	Turner (Limestone)
Casey	Goodwyn	Paulk	Turnham
Cates	Grouby	Pennington	Young

—72

Nays:

Messrs.	Brown (Jefferson)	Hankins	Nettles
Baker (DeKalb)	Burns	Harper	Perry
Bethea (B)	Carr	Hawkins	Posey
Bethea (M)	Collins	Hester	Rogers
Bevill	Etheredge	Little	Scurlock
Blanton	Fite	Locke	Sessions
Bowers	Gilmore	Meeks	Vacca
Branyon	Goldthwaite	Morrow	

—30

And on motion of Mr. Turner (Crenshaw), his motion to reconsider the vote by which the Senate substitute for the bill, H. 114, was concurred in and adopted, was laid upon the table.

Yeas 70; Nays 30.

Yeas:

Mr. Speaker	Cates	Grouby	Pennington
Albea	Cook	Hannah	Pierce
Avery	Cooper	Heflin	Powell
Bailes	Cornett	Hogan	Pruitt
Baker (Madison)	Crawford	Holladay	Reynolds
Barnett	Daniel	Ingram	Slate
Bassett	Doggett	Jones (Covington)	Smith
Bolton	Dominick	Jones (Monroe)	Snell
Boston	Downing	McDermott	Steagall
Burnham	Drake	Mashburn	Stembridge
Burns	Edington	Meade	Suiivan
Callahan	Edwards (Escambia)	Merrill	Teel
Camp	Edwards (Lowndes)	Moore	Thomas
Campbell (Jackson)	Engel	Nabors	Tuck
Campbell (Tuscaloosa)	Faulk	NeSmith	Turner (Limestone)
Cantrell	Fields	Owens	Turnham
Carr	Glass	Paulk	Young
Casey	Goodwyn		

—70

Nays:

Messrs.	Brown (Jefferson)	Hawkins	Perry
Baker (DeKalb)	Brown (Tuscaloosa)	Hester	Posey
Bethea (B)	Collins	Little	Rast
Bethea (M)	Etheredge	Locke	Rogers
Bevill	Fite	McCorquodale	Scurlock
Blanton	Gilmore	Meeks	Sessions
Bowers	Goldthwaite	Morrow	Vacca
Branyon	Hankins	Nettles	

—30

MOTION TO ADJOURN LOST

The motion of Mr. Little that the House adjourn until Thursday, August 20, 1964, at ten o'clock A.M., was lost.

Yeas 27; Nays 70.

Yeas:

Messrs.	Brown (Jefferson)	Hawkins	Perry
Baker (DeKalb)	Brown (Tuscaloosa)	Hester	Posey
Bethea (B)	Fite	Little	Powell
Bethea (M)	Gilmore	Locke	Rogers
Blanton	Goldthwaite	McCorquodale	Stembridge
Bowers	Hain	Morrow	Tuck
Branyon	Harper	Nettles	Vacca

—27

Nays:

Mr. Speaker	Cates	Hannah	Pruitt
Albea	Collins	Heflin	Rast
Bailes	Cook	Hogan	Reynolds
Baker (Madison)	Cooper	Ingram	Salter
Barnett	Cornett	Jones (Covington)	Scurlock
Bassett	Crawford	Jones (Monroe)	Sessions
Bevill	Daniel	McDermott	Slate
Bolton	Doggett	Mashburn	Smith
Boston	Downing	Meade	Snell
Burnham	Drake	Merrill	Steagall
Burns	Edwards (Escambia)	Moore	Sullivan
Callahan	Edwards (Lowndes)	Nabors	Teel
Camp	Engel	NeSmith	Thomas
Campbell (Jackson)	Faulk	Owens	Turner (Crenshaw)
Campbell (Tuscaloosa)	Fields	Paulk	Turner (Limestone)
Cantrell	Glass	Pennington	Turnham
Carr	Goodwyn	Pierce	Young
Casey	Grouby		

—70

RESOLUTIONS

The following resolutions were introduced:

By Mr. Jones (Covington):

H. R. 34. BE IT RESOLVED That the members of this body do hereby extend hearty congratulations to the member from Cullman, Tom Drake, and his wife, the former Christine McKoy, upon the arrival on Friday, August 14, of their son and heir, George Whit Drake, and offer best wishes for the child's successful growth and development.

On motion of Mr. Jones (Covington) the rules were suspended and H. R. 34 was adopted.

Also:

By Mr. Turnham:

H. J. R. 35. Providing for an Interim Committee on Junior Colleges and Vocational Technical Schools.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That there shall be named by the President of the Senate and the Speaker, respectively, a joint interim committee of two members on the part of the Senate and three members on the part of the House. The members shall elect a chairman and a vice chairman from among their number. The committee shall examine, study, and review the curriculums and other aspects of operation of the several state junior colleges and trade schools and the curriculums and curricular policies of other state institutions of higher learning, with a view toward formation of a coordinated state policy in the operation of such institutions in the best interest of all prospective college and university students. The committee may hold such hearings, examine such witnesses, and make such inquiries as they consider necessary in performance of their duties. They shall report their findings, conclusions, and recommendations to the State Board of Education, and shall make their final report to the two houses before the tenth day of the next regular legislative session.

RESOLVED FURTHER, That committee members shall each be entitled to his usual legislative per diem and expenses for attendance at committee meetings. The committee may expend not exceeding \$5,000, to be paid out of appropriations made for payment of legislative expenses, on certificate of the committee chairman.

Mr. Turnham moved to suspend the rules and adopt the resolution, H. J. R. 35.

Mr. Morrow called for a division of the question.

Mr. Turnham then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 35, and said motion was lost.

Yeas 36; Nays 34.

Yeas:

Mr. Speaker	Crawford	McCorquodale	Salter
Baker (DeKalb)	Doggett	Mashburn	Snell
Bassett	Downing	Meade	Steagall
Boston	Edington	Meeks	Stembridge
Burns	Edwards (Escambia)	Nabors	Teel
Campbell (Jackson)	Hannah	Owens	Thomas
Collins	Harper	Paulk	Turnham
Cook	Heflin	Pierce	Vacca
Cooper	Jones (Covington)	Powell	Young

—36

Nays:

Messrs.	Branyon	Fite	Morrow
Albea	Cantrell	Goldthwaite	Perry
Avery	Carr	Hain	Fossey
Baker (Madison)	Casey	Hankins	Scurlock
Bethea (B)	Cornett	Hawkins	Sessions
Bethea (M)	Davis	Hester	Tuck
Bevill	Dominick	Holladay	Turner (Crenshaw)
Bolton	Engel	Ingram	Turner (Limestone)
Bowers	Etheredge	Locke	

—34

And the resolution, H. J. R. 35, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Hain and Blanton:

H. J. R. 36. WHEREAS, Dr. Samuel Beekman Alison, a prominent physician and resident of Carlowville, Dallas County, Alabama, passed away July 13, 1963, aged 95 years; and

WHEREAS, Dr. Alison had a long and distinguished career as a physician, having practiced medicine for more than 60 of his 95 years; and

WHEREAS, Dr. Alison was a graduate of Louisville Medical College, a lifelong member of St. Paul's Episcopal Church of Carlowville, a trustee of Carlowville High School, Street Manual Training School, and a much beloved citizen of Dallas County; and

WHEREAS, the members of the Legislature wish to honor the memory of this outstanding public-spirited citizen; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members mourn the passing of Dr. Samuel Beekman Alison, and extend their heartfelt sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED that copies of this resolution be sent by the Clerk of the House to the family of Dr. Alison.

On motion of Mr. Hain the rules were suspended and H. J. R. 36 was adopted.

Also:

By Mr. Brown (Jefferson):

H. J. R. 37. Providing for an interim committee to investigate, study, and make recommendations regarding the formation of a new county.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be established an interim study committee composed of seven members, four from the House and three from the Senate. The committee shall select one of their number as chairman.

RESOLVED FURTHER, That it shall be the duty of the committee to investigate the feasibility and desirability of designating proportionate representation in the State Legislature for the Bessemer Cut-Off or the formation of a new county which shall include that portion of Jefferson County known as the Bessemer Cut-Off. The committee shall examine, inquire into, study, and evaluate all legal and financial matters and problems that might arise in connection with the formation of a new county, and may consider any factors which may seem pertinent to an appropriate conclusion.

RESOLVED FURTHER, That the committee shall meet as often as may be necessary in order to accomplish the purpose of its creation, at such times and places as the committee shall agree. The committee shall report its findings, conclusions, and recommendations to the two houses at the next regular session, whereupon the committee shall be discharged.

RESOLVED FURTHER, That committee members shall be entitled to their usual per diem and allowances for attendance at committee meetings, which shall be paid from funds appropriated for the use of the Legislature; and other reasonable and necessary expenses actually incurred by the committee shall be paid in like manner; but the aggregate of all expenses, compensation, and allowances so paid shall not exceed the sum of \$10,000.

Mr. Brown (Jefferson) moved to suspend the rules and adopt the resolution, H. J. R. 37.

Mr. Etheredge called for a division of the question.

Mr. Brown (Jefferson) then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 37, and said motion was adopted.

Mr. Morrow offered the following amendment to the resolution, H. J. R. 37:

AMENDMENT TO H. J. R. 37

Amend House Joint Resolution No. 37 by deleting the figure \$10,000.00 wherever it appears therein and adding in the place thereof the figure \$1,000.00.

On motion of Mr. Brown (Jefferson) the amendment offered by Mr. Morrow was laid upon the table.

Yeas 43; Nays 28.

Yeas:

Mr. Speaker	Collins	Hannah	Pruitt
Baker (Madison)	Cook	Hawkins	Rast
Bolton	Cornett	Hester	Salter
Boston	Daniel	Jones (Covington)	Smith
Brown (Jefferson)	Edwards (Escambia)	McCorquodale	Stembridge
Brown (Tuscaloosa)	Edwards (Lowndes)	Merrill	Teel
Burns	Engel	Nabors	Tuck
Callahan	Fite	Nettles	Turner (Crenshaw)
Camp	Gilmore	Owens	Turnham
Campbell (Jackson)	Goodwyn	Paulk	Vacca
Cates	Grouby	Powell	

—43

Nays:

Messrs.	Edington	Locke	Slate
Bassett	Etheredge	Meeks	Snell
Bethea (M)	Fields	Morrow	Steagall
Branyon	Hankins	NeSmith	Sullivan
Burnham	Heflin	Perry	Thomas
Carr	Holladay	Scurlock	Turner (Limestone)
Casey	Ingram	Sessions	Young
Dominick			

—28

Mr. Bethea (M) offered the following amendment to the resolution, H. J. R. 37:

Add at the end of Page 1, the following paragraph:

"Provided however, that should HB-114 not become law, or after becoming law should be declared invalid, then all provisions of this resolution shall then become null and void and the committee shall then stand discharged"

On motion of Mr. Brown (Jefferson) the amendment offered by Mr. Bethea (M) was laid upon the table.

Yeas 51; Nays 16.

Yeas:

Mr. Speaker	Cornett	Hannah	Rast
Albea	Crawford	Heflin	Salter
Bolton	Daniel	Hester	Scurlock
Boston	Doggett	Jones (Covington)	Sessions
Brown (Jefferson)	Drake	McCorquodale	Smith
Burnham	Edington	Merrill	Snell
Burns	Edwards (Escambia)	Morrow	Thomas
Callahan	Engel	Nabors	Tuck
Camp	Faulk	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Fite	Owens	Turner (Limestone)
Cantrell	Gilmore	Paulk	Turnham
Cates	Goodwyn	Perry	Vacca
Cooper	Grouby	Pruitt	

—51

Nays:

Messrs.	Carr	Hawkins	Locke
Bethea (M)	Dominick	Holladay	Meeks
Bethea (M)	Etheredge	Ingram	Slate
Branyon	Hankins	Jones (Monroe)	Stembridge
Brown (Tuscaloosa)			

—16

Mr. Morrow offered the following amendment to the resolution, H. J. R. 37:

Amend House Joint Resolution No. 37 by deleting the figure \$10,-000.00 wherever it appears therein and adding in the place thereof the figure \$4,000.00.

On motion of Mr. Brown (Jefferson) the amendment offered by Mr. Morrow was laid upon the table.

Yeas 49; Nays 30.

Yeas:

Mr. Speaker	Cook	Glass	Paulk
Baker (Madison)	Cooper	Goodwyn	Pierce
Bassett	Cornett	Grouby	Powell
Boston	Crawford	Hannah	Pruitt
Brown (Jefferson)	Daniel	Hester	Rast
Brown (Tuscaloosa)	Doggett	Jones (Covington)	Reynolds
Burnham	Drake	McDermott	Smith
Burns	Edwards (Escambia)	Meade	Steagall
Callahan	Engel	Merrill	Thomas
Camp	Faulk	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Fite	Nettles	Turnham
Cantrell	Gilmore	Owens	Vacca
Cates			

—49

Nays:

Messrs.	Casey	Holladay	Salter
Avery	Dominick	Ingram	Scurlock
Barnett	Edington	Locke	Sessions
Bethea (B)	Etheredge	McCorquodale	Snell
Bethea (M)	Fields	Meeks	Stembridge
Bolton	Hankins	Morrow	Tuck
Branyon	Hawkins	Pennington	Turner (Limestone)
Carr	Heflin	Perry	

—30

On motion of Mr. Brown (Jefferson), the motion of Mr. Dominick to postpone further consideration of the resolution, H. J. R. 37, until the next legislative day, was laid upon the table.

Yeas 43; Nays 34.

Yeas:

Mr. Speaker	Crawford	Hester	Rast
Bolton	Daniel	Hogan	Reynolds
Boston	Doggett	Jones (Covington)	Salter
Brown (Jefferson)	Drake	McDermott	Scurlock
Burnham	Edington	Meeks	Sessions
Burns	Edwards (Escambia)	Merrill	Smith
Camp	Fite	Nettles	Snell
Campbell (Jackson)	Gilmore	Owens	Thomas
Cantrell	Glass	Perry	Turner (Crenshaw)
Cates	Goodwyn	Powell	Vacca
Cornett	Hannah	Pruitt	

—43

Nays:

Messrs.	Branyon	Hankins	Paulk
Albea	Carr	Heflin	Pennington
Avery	Casey	Holladay	Posey
Bailes	Cooper	Ingram	Slate
Baker (Madison)	Dominick	Little	Stembridge
Barnett	Edwards (Lowndes)	Locke	Tuck
Bassett	Etheredge	Moore	Turner (Limestone)
Bethea (B)	Fields	Morrow	Turnham
Bethea (M)	Grouby	NeSmith	

—34

On motion of Mr. Brown (Jefferson), the motion of Mr. Dominick to postpone further consideration of the resolution, H. J. R. 37, until the tenth legislative day, was laid upon the table.

Yeas 48; Nays 30.

Yeas:

Mr. Speaker	Cornett	Grouby	Perry
Bailes	Crawford	Hannah	Posey
Bolton	Daniel	Hawkins	Powell
Boston	Davis	Hester	Pruitt
Brown (Jefferson)	Doggett	Hogan	Rast
Burnham	Drake	Jones (Covington)	Reynolds
Burns	Edington	McDermott	Smith
Callahan	Edwards (Escambia)	Merrill	Snell
Camp	Fite	Morrow	Sullivan
Campbell (Jackson)	Gilmore	Nabors	Thomas
Cates	Glass	Nettles	Turner (Crenshaw)
Collins	Goodwyn	Owens	Vacca

—48

Nays:

Messrs.	Cooper	Ingram	Salter
Baker (Madison)	Dominick	Little	Scurlock
Bassett	Edwards (Lowndes)	Locke	Sessions
Bethea (B)	Etheredge	Meeks	Slate
Bethea (M)	Fields	Moore	Stembridge
Branyon	Hankins	NeSmith	Tuck
Carr	Heflin	Paulk	Turner (Limestone)
Casey	Holladay	Pennington	

—30

Mr. Brown (Jefferson) then moved to adopt H. J. R. 37.

And the resolution, H. J. R. 37, was lost.

Yeas 38; Nays 41.

Yeas:

Mr. Speaker	Collins	Hester	Powell
Bailes	Cornett	Jones (Covington)	Pruitt
Bolton	Daniel	McDermott	Rast
Brown (Jefferson)	Davis	Meade	Rogers
Burnham	Doggett	Merrill	Smith
Burns	Edwards (Escambia)	Nettles	Sullivan
Callahan	Fite	Owens	Thomas
Camp	Gilmore	Perry	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	Posey	Vacca
Cates	Hawkins		

—38

Nays:

Messrs.	Carr	Heflin	Paulk
Avery	Casey	Holladay	Pennington
Baker (DeKalb)	Cooper	Ingram	Scurlock
Baker (Madison)	Edington	Jones (Monroe)	Sessions
Bassett	Edwards (Lowndes)	Little	Slate
Bethea (B)	Etheredge	Locke	Snell
Bethea (M)	Fields	Meeks	Stembridge
Boston	Grouby	Moore	Tuck
Bowers	Hankins	Morrow	Turner (Limestone)
Branyon	Hannah	NeSmith	Turnham
Brown (Tuscaloosa)	Harper		

—41

The motion of Mr. Holladay to lay on the table the motion of Mr. Brown (Jefferson) to reconsider the vote by which the resolution, H. J. R. 37, was lost, was lost.

Yeas 41; Nays 45.

Yeas:

Messrs.	Cooper	Ingram	Pennington
Avery	Dominick	Jones (Monroe)	Reynolds
Baker (DeKalb)	Edwards (Escambia)	Little	Salter
Baker (Madison)	Edwards (Lowndes)	Locke	Scurlock
Bassett	Etheredge	McDermott	Sessions
Bethea (B)	Fields	Mashburn	Slate
Bethea (M)	Hankins	Meeks	Snell
Bowers	Harper	Moore	Stembridge
Branyon	Heflin	NeSmith	Tuck
Carr	Hogan	Paulk	Turner (Limestone)
Casey	Holladay		

—41

Nays:

Mr. Speaker	Collins	Hester	Pruitt
Bailes	Cornett	Jones (Covington)	Rast
Barnett	Crawford	McCorquodale	Rogers
Bolton	Davis	Meade	Smith
Boston	Doggett	Merrill	Steagall
Brown (Jefferson)	Fite	Morrow	Sullivan
Burnham	Gilmore	Nabors	Teel
Burns	Goodwyn	Nettles	Thomas
Callahan	Grouby	Owens	Turner (Crenshaw)
Camp	Hannah	Perry	Turnham
Campbell (Jackson)	Hawkins	Powell	Vacca
Cates			

—45

And the motion of Mr. Brown (Jefferson) to reconsider the vote by which the resolution, H. J. R. 37, was lost, was lost.

Yeas 44; Nays 44.

Yeas:

Mr. Speaker	Burnham	Collins	Fite
Bailes	Burns	Cornett	Gilmore
Barnett	Callahan	Crawford	Goodwyn
Bolton	Camp	Daniel	Hannah
Boston	Campbell (Jackson)	Davis	Hester
Brown (Jefferson)	Cates	Doggett	Hogan

Jones (Covington)	Nettles	Rast	Sullivan
McDermott	Owens	Rogers	Teel
Meade	Perry	Sessions	Thomas
Merrill	Powell	Smith	Turner (Crenshaw)
Nabors	Pruitt	Steagall	Vacca

—44

Nays:

Messrs.	Cooper	Heflin	Paulk
Avery	Dominick	Holladay	Pennington
Baker (DeKalb)	Drake	Ingram	Reynolds
Baker (Madison)	Edington	Jones (Monroe)	Salter
Bassett	Edwards (Escambia)	Little	Scurlock
Bethea (B)	Edwards (Lowndes)	Locke	Slate
Bethea (M)	Etheredge	Mashburn	Snell
Bowers	Fields	Meeks	Stembridge
Branyon	Grouby	Moore	Tuck
Campbell (Tuscaloosa)	Hankins	Morrow	Turner (Limestone)
Carr	Harper	NeSmith	Turnham
Casey			

—44

Also:

By Messrs. Pierce, Goodwyn, Goldthwaite and Little:

H. J. R. 38. WHEREAS the Robert E. Lee High School Band has thrilled its spectators and audiences with its spirit, its originality of ideas, and its superb performances both in music and in precision marching each year during the comparatively few years during which the school has been in existence; and

WHEREAS under the inspiring direction of Mr. Johnny Long the Lee band has won many awards, the most recent of which was the rating of "superior" in the State Band Contest. In 1958 the band set an all time record by winning twenty-three All-State Medals in a single year. For five consecutive years they led the state in the number of medals earned, and are the only band in Class AA to have received six consecutive superior ratings from 1957-1962 in the State Band Contest. For the past seven years their musicians have appeared in the First Chair of America, a most coveted position in band contests. They have participated in half-time performances at many football games throughout the State including the Blue-Gray games, the All-Star games at the University of Alabama and at numerous college games. National contests entered include ones in Chicago, Miami Beach, Detroit, and Windsor, Ontario. The band has always placed in the top four bands in every contest entered and won first prize in the National V.F.W. Military parade in Miami Beach in 1961. Numbers of Lee graduates have gone on to make places for themselves in collegiate bands, many of whom hold first chair positions, and some have won scholarships; and

WHEREAS this outstanding record is the result not only of natural aptitude coordinated under skilled leadership, but is also the result of many long hours of persistent practice and determined effort on the part of both the director and individual band members; and

WHEREAS the Robert E. Lee Band will again enter National competition at the Veterans of Foreign Wars national convention in Cleveland, Ohio on August 25 and will also give a performance at the New York World's Fair on August 27; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to commend the Robert E. Lee High School Band and their director, Mr. Johnny Long,

on the excellence of their past performances, and wish for them every success in their participation, representing Alabama, in national competition in Cleveland and in their performance in New York City.

On motion of Mr. Pierce the rules were suspended and H. J. R. 38 was adopted.

BILLS ON THIRD READING

H. 230. Providing for appointment of members of county boards of equalization in counties having populations of not less than 150,000 nor more than 300,000; amending further Code of Alabama Title 51, Section 89.

Was taken up.

Mr. Pierce offered the following amendment to the bill H. 230:

AMENDMENT TO H. B. 230

Strike out Section 2 and insert the following:

Section 2. This Act shall take effect on the first Monday after the second Tuesday in January, 1967.

And the amendment was adopted.

Yeas 52; Nays 2.

Yeas:

Mr. Speaker	Cook	Jones (Monroe)	Pruitt
Avery	Cooper	Little	Rast
Bailes	Crawford	McDermott	Reynolds
Barnett	Downing	Mashburn	Scurlock
Bassett	Edington	Meeks	Sessions
Boston	Edwards (Escambia)	Morrow	Smith
Branyon	Etheredge	Nabors	Snell
Brown (Tuscaloosa)	Fields	Paulk	Steagall
Campbell (Jackson)	Goldthwaite	Pennington	Teel
Campbell (Tuscaloosa)	Hankins	Perry	Thomas
Carr	Hogan	Pierce	Tuck
Casey	Ingram	Posey	Turner (Limestone)
Cates	Jones (Covington)	Powell	Vacca

—52

Nays: Messrs. Baker (Madison) and Goodwyn

—2

And said bill, H. 230, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nay 1.

Yeas:

Mr. Speaker	Bethea (M)	Cantrell	Crawford
Albea	Boston	Carr	Davis
Avery	Branyon	Casey	Dominick
Bailes	Burnham	Cates	Edington
Barnett	Camp	Cook	Edwards (Escambia)
Bassett	Campbell (Jackson)	Cooper	Etheredge
Bethea (B)	Campbell (Tuscaloosa)	Cornett	Fields

Glass	Mashburn	Powell	Snell
Goldthwaite	Meeks	Pruitt	Steagall
Hankins	Merrill	Rast	Teel
Hannah	Morrow	Reynolds	Thomas
Ingram	Nabors	Salter	Tuck
Jones (Covington)	Paulk	Scurlock	Turner (Crenshaw)
Jones (Monroe)	Pennington	Sessions	Turner (Limestone)
Little	Perry	Smith	Vacca
McDermott			—61

Nay: Mr. Goodwyn —1

And the bill:

H. 231. Providing for the appointment, tenure, compensation, powers and duties of license inspectors in counties having populations of not less than 150,000 nor more than 300,000.

Was taken up.

Mr. Pierce offered the following amendment to the bill, H. 231:

AMENDMENT TO H. B. 231

Strike out Section 4 and insert the following:

Section 4. This Act shall take effect on the first Monday after the second Tuesday in January, 1967.

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Carr	Hankins	Perry
Albea	Casey	Hannah	Posey
Avery	Cates	Hester	Powell
Bailes	Collins	Hogan	Rast
Barnett	Cooper	Ingram	Reynolds
Bassett	Cornett	Jones (Covington)	Rogers
Bethea (B)	Crawford	Jones (Monroe)	Salter
Bethea (M)	Davis	Little	Scurlock
Bevill	Dominick	Locke	Sessions
Blanton	Drake	McCorquodale	Smith
Bolton	Edington	McDermott	Snell
Boston	Edwards (Escambia)	Meade	Steagall
Bowers	Etheredge	Meeks	Stembridge
Branyon	Fields	Merrill	Teel
Burnham	Fite	Morrow	Thomas
Burns	Gilmore	Nabors	Tuck
Camp	Glass	Owens	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	Paulk	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	Pennington	Vacca
Cantrell	Hain		—78

And said bill, H. 231, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nay 1.

Yeas:

Mr. Speaker	Cantrell	Hain	Perry
Albea	Carr	Hankins	Posey
Avery	Casey	Hannah	Powell
Bailes	Cates	Hester	Rast
Baker (DeKalb)	Collins	Hogan	Reynolds
Barnett	Cooper	Ingram	Rogers
Bassett	Cornett	Jones (Covington)	Salter
Bethea (B)	Crawford	Jones (Monroe)	Scurlock
Bethea (M)	Davis	Little	Sessions
Bevill	Dominick	Locke	Smith
Blanton	Drake	McDermott	Snell
Bolton	Edington	Meade	Steagall
Boston	Edwards (Escambia)	Meeks	Stembridge
Bowers	Etheredge	Merrill	Teel
Branyon	Fields	Morrow	Thomas
Burnham	Fite	Nabors	Tuck
Burns	Gilmore	Owens	Turner (Crenshaw)
Camp	Glass	Paulk	Turner (Limestone)
Campbell (Jackson)	Goldthwaite	Pennington	Vacca
Campbell (Tuscaloosa)			

—77

Nay: Mr. Goodwyn

—1

And the bill:

H. 232. Relating to the appointment, tenure, and compensation of registrars in counties having populations of not less than 150,000 nor more than 300,000.

Was taken up.

Mr. Pierce offered the following amendment to the bill H. 232:

AMENDMENT TO H. B. 232

Strike out Section 6 and insert in lieu thereof the following:

Section 6. This Act shall take effect on the first Monday after the second Tuesday in January, 1967.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Branyon	Dominick	Hester
Albea	Brown (Jefferson)	Drake	Hogan
Avery	Burnham	Edington	Ingram
Bailes	Burns	Edwards (Escambia)	Jones (Covington)
Baker (DeKalb)	Camp	Fields	Jones (Monroe)
Barnett	Campbell (Tuscaloosa)	Fite	Little
Bassett	Cantrell	Gilmore	Locke
Bethea (B)	Carr	Glass	McCorquodale
Bethea (M)	Casey	Goldthwaite	McDermott
Bevill	Cates	Goodwyn	Meade
Blanton	Cooper	Hankins	Meeks
Boston	Crawford	Hannah	Merrill
Bowers	Davis	Hawkins	Morrow

Nabors	Powell	Sessions	Teel
Owens	Rast	Smith	Thomas
Paulk	Reynolds	Snell	Tuck
Pennington	Rogers	Steagall	Turner (Greshaw)
Perry	Salter	Stembridge	Turner (Limestone)
Posey	Scurlock	Sullivan	Vacca

—76

And said bill, H. 232, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 2.

Yeas:

Mr. Speaker	Carr	Hawkins	Posey
Albea	Casey	Hester	Powell
Avery	Cates	Hogan	Rast
Bailes	Collins	Ingram	Reynolds
Baker (DeKalb)	Cooper	Jones (Covington)	Rogers
Barnett	Crawford	Jones (Monroe)	Salter
Bassett	Davis	Little	Scurlock
Bethea (B)	Drake	Locke	Sessions
Bethea (M)	Edington	McCorquodale	Smith
Bevill	Edwards (Escambia)	McDermott	Snell
Blanton	Engel	Meade	Steagall
Boston	Etheredge	Meeks	Stembridge
Bowers	Fields	Merrill	Sullivan
Branyon	Fite	Morrow	Teel
Brown (Jefferson)	Gilmore	Nabors	Thomas
Burnham	Glass	Owens	Tuck
Burns	Goldthwaite	Paulk	Turner (Greshaw)
Campbell (Tuscaloosa)	Hankins	Pennington	Turner (Limestone)
Cantrell	Hannah	Perry	Vacca

—76

Nay: Messrs. Camp and Goodwyn

—2

And the bill:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assessment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bethea (B)	Bowers
Albea	Baker (Madison)	Bevill	Branyon
Avery	Barnett	Blanton	Brown (Jefferson)
Bailes	Bassett	Boston	Burnham

Burns	Fields	McCorquodale	Rogers
Camp	Fite	McDermott	Salter
Campbell (Tuscaloosa)	Gilmore	Meeks	Scurlock
Cantrell	Glass	Merrill	Sessions
Carr	Goodwyn	Moore	Smith
Casey	Hain	Morrow	Snell
Cooper	Hankins	Nabors	Steagall
Cornett	Hannah	Nettles	Stembridge
Crawford	Hawkins	Paulk	Sullivan
Daniel	Heflin	Pennington	Teel
Doggett	Hester	Perry	Thomas
Downing	Hogan	Pierce	Tuck
Edington	Ingram	Posey	Turner (Crenshaw)
Edwards (Escambia)	Jones (Covington)	Powell	Turner (Limestone)
Edwards (Lowndes)	Jones (Monroe)	Rast	Turnham
Engel	Locke	Reynolds	Vacca

—80

BILLS POSTPONED

On motion of Mr. Rast, the bills, S. 16, S. 17 and S. 18, were indefinitely postponed.

On motion of Mr. Rast, consideration of the bill, S. 19, was postponed until the ninth legislative day.

On motion of Mr. Rast, the bills, S. 20, S. 21, S. 22, S. 23, S. 24 and S. 25, were indefinitely postponed.

BILLS ON THIRD READING RESUMED

S. 26. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

Was read a third time at length and passed.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Collins	Hankins	Pierce
Albea	Cook	Hannah	Posey
Avery	Cooper	Harper	Powell
Bailes	Cornett	Heflin	Rast
Baker (Madison)	Crawford	Hester	Reynolds
Barnett	Davis	Hogan	Rogers
Bassett	Doggett	Jones (Covington)	Salter
Bevill	Downing	Jones (Monroe)	Scurlock
Blanton	Drake	Little	Sessions
Bolton	Edington	Locke	Smith
Boston	Edwards (Escambia)	McCorquodale	Snell
Bowers	Edwards (Lowndes)	McDermott	Steagall
Branyon	Etheredge	Meade	Stembridge
Brown (Tuscaloosa)	Fields	Merrill	Teel
Burnham	Fite	Moore	Thomas
Burns	Gilmore	Nabors	Tuck
Camp	Glass	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	Owens	Turner (Limestone)
Cantrell	Grouby	Paulk	Turnham
Carr	Hain	Pennington	Vacca
Cates			

—81

Nay: Mr. Perry

—1

BILLS INDEFINITELY POSTPONED

On motion of Mr. Rast, the bills, S. 27, S. 28, S. 29, S. 30, S. 31, S. 32, S. 33, S. 34, S. 35, S. 36, S. 37, S. 38, S. 39, S. 40, S. 41, S. 42, S. 43, S. 44, S. 45, S. 46, S. 47, S. 48, S. 49, S. 50, S. 51, S. 52 and S. 56, were indefinitely postponed.

BILLS ON THIRD READING RESUMED

H. 252. Relating to counties having populations of not less than 300,000 nor more than 500,000; to authorize the county governing body of any such county to make available to the sheriff an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Pierce
Albee	Cook	Hawkins	Posey
Avery	Cooper	Heflin	Powell
Baker (DeKalb)	Cornett	Hester	Pruitt
Baker (Madison)	Davis	Hogan	Reynolds
Barnett	Doggett	Holladay	Rogers
Bassett	Downing	Jones (Covington)	Salter
Bevill	Drake	Jones (Monroe)	Scurlock
Blanton	Edington	Locke	Sessions
Bolton	Edwards (Escambia)	McCorquodale	Slate
Boston	Engel	McDermott	Smith
Bowers	Etheredge	Meade	Snell
Branyon	Fields	Merrill	Steagall
Brown (Tuscaloosa)	Fite	Moore	Stembridge
Burnham	Gilmore	Nabors	Teel
Burns	Glass	NeSmith	Thomas
Camp	Goodwyn	Nettles	Tuck
Campbell (Jackson)	Grouby	Owens	Turner (Greenshaw)
Cantrell	Hain	Paulk	Turner (Limestone)
Carr	Hankins	Pennington	Turnham
Casey	Hannah	Perry	Vacca

—84

And the bill:

H. 199 (with amendment). To provide that housing authorities incorporated under the statutes contained in the Code of Alabama 1940 in counties of not less than 150,000 inhabitants and not more than 300,000 inhabitants according to the last United States Census; where the employees of said housing authorities are subject to the provisions of a merit system; that said housing authorities in said counties acting by resolution of their Board of Commissioners are authorized to enter into a contract for the services of a director and assistant director and fix the compensation of same; said director and assistant director shall act as liaison personnel between the cities, the Regional Director and shall negotiate with citizens affected by the over-all plan of Urban Redevelopment and such other duties as may be provided in said contract, in order to expedite and implement Title I of the Federal Housing Act of 1949, as amended. Said contract shall be approved by the Regional Director.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

L. L. NO. 1 COMMITTEE AMENDMENT

Amend H. B. 199 by inserting the following following the words any calendar year in line ten of Section One (1):

"and the compensation of the assistant director shall not exceed the sum of \$10,000 (ten thousand dollars) in any calendar year".

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Pierce
Albea	Collins	Hawkins	Posey
Baker (DeKalb)	Cook	Heflin	Powell
Baker (Madison)	Cooper	Hester	Pruitt
Barnett	Cornett	Hogan	Reynolds
Bassett	Crawford	Holladay	Rogers
Bethea (M)	Davis	Jones (Covington)	Salter
Bevill	Doggett	Jones (Monroe)	Scurlock
Blanton	Downing	Locke	Sessions
Bolton	Drake	McCorquodale	Slate
Boston	Edington	McDermott	Smith
Bowers	Edwards (Escambia)	Meeks	Snell
Branyon	Etheredge	Merrill	Steagall
Brown (Jefferson)	Fields	Moore	Stembridge
Burnham	Fite	Nabors	Teel
Burns	Gilmore	NeSmith	Thomas
Camp	Glass	Nettles	Tuck
Campbell (Jackson)	Goodwyn	Owens	Turner (Crenshaw)
Cantrell	Grouby	Paulk	Turner (Limestone)
Carr	Hankins	Pennington	Turnham
Casey	Hannah	Perry	Vacca

—84

And said bill, H. 199, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Brown (Jefferson)	Davis	Hankins
Albea	Burnham	Doggett	Hannah
Avery	Burns	Downing	Harper
Baker (DeKalb)	Camp	Drake	Heflin
Barnett	Campbell (Jackson)	Edington	Hester
Bassett	Cantrell	Edwards (Escambia)	Hogan
Bethea (M)	Carr	Etheredge	Holladay
Bevill	Cates	Fields	Jones (Covington)
Blanton	Collins	Fite	Jones (Monroe)
Bolton	Cook	Gilmore	Locke
Boston	Cooper	Glass	McCorquodale
Bowers	Cornett	Goodwyn	McDermott
Branyon	Crawford	Grouby	Meade

Meeks	Pennington	Salter	Teel
Merrill	Perry	Scurlock	Thomas
Moore	Pierce	Sessions	Tuck
Nabors	Posey	Slate	Turner (Crenshaw)
NeSmith	Powell	Smith	Turner (Limestone)
Nettles	Pruitt	Snell	Turnham
Owens	Reynolds	Steagall	Vacca
Paulk	Rogers	Stembridge	

—83

And the bill:

H. 251. Relating to counties having populations of not less than 22,550 nor more than 24,550, authorizing an appropriation from county funds for certain purposes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Carr	Hannah	Perry
Albea	Casey	Harper	Posey
Avery	Cates	Heflin	Powell
Baker (DeKalb)	Cook	Hester	Reynolds
Barnett	Cooper	Hogan	Rogers
Bassett	Daniel	Holladay	Salter
Bealea (M)	Davis	Jones (Covington)	Scurlock
Bevill	Doggett	Jones (Monroe)	Sessions
Blanton	Downing	Locke	Slate
Bolton	Drake	McCorquodale	Smith
Boston	Edington	McDermott	Snell
Bowers	Edwards (Escambia)	Meade	Steagall
Branyon	Engel	Meeks	Stembridge
Brown (Jefferson)	Etheredge	Moore	Thomas
Burnham	Fields	Nabors	Tuck
Burns	Fite	NeSmith	Turner (Crenshaw)
Camp	Gilmore	Nettles	Turner (Limestone)
Campbell (Jackson)	Glass	Owens	Turnham
Campbell (Tuscaloosa)	Grouby	Paulk	Vacca
Cantrell	Hankins	Pennington	

—79

And the bill:

H. 254. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Was taken up.

Mr. Bassett offered the following amendment to the bill, H. 254:

AMENDMENT TO H. B. 254

Strike out Section 4 and insert the following:

Section 4. This Act shall take effect October 1, 1964.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Perry
Albea	Collins	Hannah	Pierce
Avery	Cook	Harper	Posey
Bailes	Cooper	Heflin	Powell
Baker (DeKalb)	Cornett	Hester	Pruitt
Barnett	Crawford	Hogan	Reynolds
Bassett	Daniel	Jones (Covington)	Rogers
Bethea (M)	Davis	Jones (Monroe)	Salter
Bevill	Doggett	Locke	Scurlock
Blanton	Downing	McCorquodale	Sessions
Bolton	Drake	McDermott	Slate
Boston	Edington	Meade	Smith
Bowers	Edwards (Escambia)	Meeks	Snell
Branyon	Engel	Merrill	Steagall
Brown (Jefferson)	Etheredge	Moore	Stembridge
Burnham	Fields	Nabors	Thomas
Camp	Fite	NeSmith	Tuck
Campbell (Jackson)	Gilmore	Nettles	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Owens	Turner (Limestone)
Cantrell	Goldthwaite	Paulk	Turnham
Carr	Grouby	Pennington	Vacca
Casey			

—85

And said bill, H. 254, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Pennington
Albea	Cates	Hannah	Perry
Avery	Collins	Harper	Pierce
Bailes	Cooper	Heflin	Posey
Baker (DeKalb)	Cornett	Hester	Powell
Barnett	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Reynolds
Bethea (M)	Davis	Jones (Covington)	Rogers
Bevill	Doggett	Jones (Monroe)	Salter
Blanton	Downing	Locke	Scurlock
Bolton	Drake	McCorquodale	Sessions
Boston	Edington	McDermott	Slate
Bowers	Edwards (Escambia)	Meade	Smith
Branyon	Edwards (Lowndes)	Meeks	Snell
Brown (Jefferson)	Engel	Merrill	Stembridge
Burnham	Etheredge	Moore	Thomas
Camp	Fields	Nabors	Tuck
Campbell (Jackson)	Fite	NeSmith	Turner (Crenshaw)
Campbell (Tuscaloosa)	Gilmore	Nettles	Turner (Limestone)
Cantrell	Glass	Owens	Turnham
Carr	Grouby	Paulk	Vacca

—84

And the bill:

H. 255. Relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Perry
Albea	Cates	Harper	Pierce
Avery	Collins	Heflin	Posey
Bailes	Cooper	Hester	Powell
Baker (DeKalb)	Cornett	Hogan	Pruitt
Baker (Madison)	Crawford	Holladay	Reynolds
Barnett	Daniel	Jones (Covington)	Rogers
Bassett	Davis	Jones (Monroe)	Salter
Bethea (M)	Doggett	Locke	Scurlock
Bevill	Downing	McCorquodale	Sessions
Blanton	Drake	McDermott	Slate
Bolton	Edington	Meade	Smith
Boston	Edwards (Escambia)	Meeks	Snell
Bowers	Edwards (Lowndes)	Merrill	Steagall
Branyon	Etheredge	Moore	Stembridge
Brown (Jefferson)	Fields	Morrow	Thomas
Burnham	Fite	Nabors	Tuck
Camp	Gilmore	NeSmith	Turner (Crenshaw)
Campbell (Jackson)	Glass	Nettles	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	Owens	Turnham
Cantrell	Grouby	Paulk	Vacca
Carr	Hankins	Pennington	

—87

And the bill:

H. 262. To provide further for the compensation of the bailiff of any circuit court serving in any county having a population of not less than 76,000 nor more than 96,000.

Was taken up.

Mr. Burnham offered the following substitute for the bill, H. 262:

A BILL
TO BE ENTITLED
AN ACT

To provide for a Chief Bailiff of the Circuit Court of any County having a population of not less than 76,000 nor more than 96,000, and to further provide for the appointment, tenure of office, and compensation of such Chief Bailiff.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the position of Chief Bailiff of the Circuit Court in any County having a population of not less than 76,000 nor more than 96,000 according to the last or any subsequent Federal decennial census.

Section 2. The position of Chief Bailiff, as provided herein, shall be filled by appointment of the Presiding Circuit Judge serving in such County, and such Chief Bailiff shall serve at the pleasure of such presiding Judge.

Section 3. Any Chief Bailiff appointed pursuant to the provisions of this Act shall receive a salary of \$3,600.00 per annum, payable in

equal monthly installments out of the County Treasury of such County. In addition to legal holidays and other leave authorized by law, any such Chief Bailiff shall be authorized ten days leave per annum, without any loss of compensation therefor.

Section 4. The appointment of a Chief Bailiff as provided by this Act shall be in lieu of the appointment of any other Bailiff by any such presiding Judge, and the provisions of this Act shall in no way affect the appointment of Bailiffs by other than the presiding Judge in any such County.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Pierce
Albea	Collins	Harper	Posey
Avery	Cook	Heflin	Powell
Baker (DeKalb)	Cooper	Hester	Pruitt
Baker (Madison)	Cornett	Hogan	Rast
Barnett	Crawford	Holladay	Reynolds
Bassett	Daniel	Ingram	Rogers
Bethea (M)	Davis	Jones (Covington)	Salter
Bevill	Doggett	Jones (Monroe)	Scurlock
Blanton	Dominick	McCorquodale	Sessions
Bolton	Downing	McDermott	Slate
Boston	Drake	Meade	Smith
Bowers	Edington	Meeks	Snell
Branyon	Edwards (Lowndes)	Merrill	Steagall
Brown (Jefferson)	Engel	Moore	Stembridge
Burnham	Etheredge	Morrow	Sullivan
Burns	Fields	Nabors	Teel
Callahan	Fite	NeSmith	Thomas
Camp	Gilmore	Nettles	Tuck
Campbell (Jackson)	Glass	Owens	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Paulk	Turner (Limestone)
Cantrell	Hain	Pennington	Turnham
Carr	Hankins	Perry	Vacca
Casey			

—93

And said bill H. 262, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Messrs.	Barnett	Bolton	Camp
Albea	Bassett	Boston	Campbell (Jackson)
Avery	Bethea (M)	Brown (Jefferson)	Campbell (Tuscaloosa)
Baker (DeKalb)	Bevill	Burnham	Cantrell
Baker (Madison)	Blanton	Burns	Carr

Casey	Glass	Morrow	Sessions
Cates	Grouby	Nabors	Slate
Cook	Hain	NeSmith	Smith
Cooper	Hannah	Nettles	Snell
Cornett	Harper	Owens	Steagall
Daniel	Heflin	Paulk	Stembridge
Davis	Hogan	Pennington	Sullivan
Doggett	Ingram	Perry	Teel
Downing	Jones (Covington)	Pierce	Thomas
Drake	Jones (Monroe)	Powell	Tuck
Edwards (Escambia)	McCorquodale	Rast	Turner (Crenshaw)
Edwards (Lowndes)	McDermott	Reynolds	Turner (Limestone)
Fields	Meade	Rogers	Turnham
Fite	Meeks	Salter	Vacca
Gilmore	Merrill	Scurlock	

—78

And the bill:

H. 263. Relating to counties having a population of not less than 76,000 nor more than 96,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Messrs.	Casey	Harper	Powell
Albea	Cates	Heflin	Rast
Avery	Cook	Hogan	Reynolds
Baker (DeKalb)	Cooper	Ingram	Rogers
Baker (Madison)	Cornett	Jones (Covington)	Salter
Barnett	Daniel	Jones (Monroe)	Scurlock
Bassett	Davis	McCorquodale	Sessions
Bethea (M)	Doggett	McDermott	Slate
Bevill	Downing	Meade	Smith
Blanton	Drake	Meeks	Snell
Bolton	Edgington	Merrill	Steagall
Boston	Edwards (Escambia)	Morrow	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Nabors	Sullivan
Burnham	Fields	NeSmith	Teel
Burns	Fite	Nettles	Thomas
Camp	Gilmore	Owens	Tuck
Campbell (Jackson)	Glass	Paulk	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Pennington	Turner (Limestone)
Cantrell	Hain	Perry	Turnham
Carr	Hannah	Pierce	Vacca

—79

And the bill:

S. 5. Relating to the Municipality of Decatur, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the City of Decatur, Alabama.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Messrs.	Casey	Harper	Powell
Albea	Cates	Heflin	Rast
Avery	Cook	Hogan	Reynolds
Baker (DeKalb)	Cooper	Ingram	Rogers
Baker (Madison)	Cornett	Jones (Covington)	Salter
Barnett	Daniel	Jones (Monroe)	Scurlock
Bassett	Davis	McCorquodale	Sessions
Bethea (M)	Doggett	McDermott	Slate
Bevill	Downing	Meade	Smith
Blanton	Drake	Meeks	Snell
Bolton	Edington	Merrill	Steagall
Boston	Edwards (Escambia)	Morrow	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Nabors	Sullivan
Burnham	Fields	NeSmith	Teel
Burns	Fite	Nettles	Thomas
Camp	Gilmore	Owens	Tuck
Campbell (Jackson)	Glass	Paulk	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Pennington	Turner (Limestone)
Cantrell	Hain	Perry	Turnham
Carr	Hannah	Pierce	Vacca

—79

And the bill:

S. 8. To regulate the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Messrs.	Casey	Harper	Powell
Albea	Cates	Heflin	Rast
Avery	Cook	Hogan	Reynolds
Baker (DeKalb)	Cooper	Ingram	Rogers
Baker (Madison)	Cornett	Jones (Covington)	Salter
Barnett	Daniel	Jones (Monroe)	Scurlock
Bassett	Davis	McCorquodale	Sessions
Bethea (M)	Doggett	McDermott	Slate
Bevill	Downing	Meade	Smith
Blanton	Drake	Meeks	Snell
Bolton	Edington	Merrill	Steagall
Boston	Edwards (Escambia)	Morrow	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Nabors	Sullivan
Burnham	Fields	NeSmith	Teel
Burns	Fite	Nettles	Thomas
Camp	Gilmore	Owens	Tuck
Campbell (Jackson)	Glass	Paulk	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Pennington	Turner (Limestone)
Cantrell	Hain	Perry	Turnham
Carr	Hannah	Pierce	Vacca

—79

And the bill:

S. 9. Relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of a clerk for the board of registrars whose compensation shall be paid by the county.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Messrs.	Casey	Harper	Powell
Albea	Cates	Heflin	Rast
Avery	Cook	Hogan	Reynolds
Baker (DeKalb)	Cooper	Ingram	Rogers
Baker (Madison)	Cornett	Jones (Covington)	Salter
Barnett	Daniel	Jones (Monroe)	Scurlock
Bassett	Davis	McCorquodale	Sessions
Bethea (M)	Doggett	McDermott	Slate
Bevill	Downing	Meade	Smith
Blanton	Drake	Meeks	Snell
Bolton	Edington	Merrill	Steagall
Boston	Edwards (Escambia)	Morrow	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Nabors	Sullivan
Burnham	Fields	NeSmith	Teel
Burns	Fite	Nettles	Thomas
Camp	Gilmore	Owens	Tuck
Campbell (Jackson)	Glass	Paulk	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Pennington	Turner (Limestone)
Cantrell	Hain	Perry	Turnham
Carr	Hannah	Pierce	Vacca

—79

BILLS INDEFINITELY POSTPONED

On motion of Mr. Camp, the bills, S. 10 and S. 11 were indefinitely postponed.

BILLS ON THIRD READING RESUMED

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Messrs.	Barnett	Bolton	Callahan
Albea	Bassett	Boston	Camp
Avery	Bethea (M)	Brown (Jefferson)	Campbell (Jackson)
Baker (DeKalb)	Bevill	Burnham	Campbell (Tuscaloosa)
Baker (Madison)	Blanton	Burns	Cantrell

Carr	Gilmore	Morrow	Scurlock
Casey	Glass	Nabors	Sessions
Cates	Grouby	NeSmith	Slate
Cook	Hain	Nettles	Smith
Cooper	Hannah	Owens	Snell
Cornett	Harper	Paulk	Steagall
Daniel	Heflin	Pennington	Stembridge
Davis	Hogan	Perry	Sullivan
Doggett	Ingram	Pierce	Teel
Downing	Jones (Covington)	Posey	Thomas
Drake	Jones (Monroe)	Powell	Tuck
Edington	McCorquodale	Rast	Turner (Crenshaw)
Edwards (Escambia)	McDermott	Reynolds	Turner (Limestone)
Edwards (Lowndes)	Meade	Rogers	Turnham
Fields	Meeks	Salter	Vacca
Fite			

—80

And the bill:

S. 15. Relating to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Messrs.	Casey	Harper	Powell
Albea	Cates	Heflin	Rast
Avery	Cook	Hogan	Reynolds
Baker (DeKalb)	Cooper	Ingram	Rogers
Baker (Madison)	Cornett	Jones (Covington)	Salter
Barnett	Daniel	Jones (Monroe)	Scurlock
Bassett	Davis	McCorquodale	Sessions
Bethea (M)	Doggett	McDermott	Slate
Bevill	Downing	Meade	Smith
Blanton	Drake	Meeks	Snell
Bolton	Edington	Morrow	Steagall
Boston	Edwards (Escambia)	Nabors	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	NeSmith	Sullivan
Burnham	Fields	Nettles	Teel
Burns	Fite	Owens	Thomas
Camp	Gilmore	Paulk	Tuck
Campbell (Jackson)	Glass	Pennington	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Perry	Turner (Limestone)
Cantrell	Hain	Pierce	Turnham
Carr	Hannah	Posey	Vacca

—79

And the bill:

S. 61. To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Messrs.	Casey	Harper	Powell
Albea	Cates	Heflin	Rast
Avery	Cook	Hogan	Reynolds
Baker (DeKalb)	Cooper	Ingram	Rogers
Baker (Madison)	Cornett	Jones (Covington)	Salter
Barnett	Daniel	Jones (Monroe)	Scurlock
Bassett	Davis	McCorquodale	Sessions
Bethea (M)	Doggett	McDermott	Slate
Bevill	Downing	Meade	Smith
Blanton	Drake	Meeks	Snell
Bolton	Edington	Morrow	Steagall
Boston	Edwards (Escambia)	Nabors	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	NeSmith	Sullivan
Burnham	Fields	Nettles	Teel
Burns	Fite	Owens	Thomas
Camp	Gilmore	Paulk	Tuck
Campbell (Jackson)	Glass	Pennington	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Perry	Turner (Limestone)
Cantrell	Hain	Pierce	Turnham
Carr	Hannah	Posey	Vacca

—79

And the bill:

S. 64. To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Messrs.	Casey	Harper	Powell
Albea	Cates	Heflin	Rast
Avery	Cook	Hogan	Reynolds
Baker (DeKalb)	Cooper	Ingram	Rogers
Baker (Madison)	Cornett	Jones (Covington)	Salter
Barnett	Daniel	Jones (Monroe)	Scurlock
Bassett	Davis	McCorquodale	Sessions
Bethea (M)	Doggett	McDermott	Slate
Bevill	Downing	Meade	Smith
Blanton	Drake	Meeks	Snell
Bolton	Edington	Morrow	Steagall
Boston	Edwards (Escambia)	Nabors	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	NeSmith	Sullivan
Burnham	Fields	Nettles	Teel
Burns	Fite	Owens	Thomas
Camp	Gilmore	Paulk	Tuck
Campbell (Jackson)	Glass	Pennington	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Perry	Turner (Limestone)
Cantrell	Hain	Pierce	Turnham
Carr	Hannah	Posey	Vacca

—79

And the bill:

S. 65. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body of

all counties having populations of not less than 24,525 nor more than 24,675.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Messrs.	Casey	Hogan	Rast
Albea	Cates	Ingram	Reynolds
Avery	Cook	Jones (Covington)	Rogers
Baker (DeKalb)	Cooper	Jones (Monroe)	Salter
Baker (Madison)	Cornett	McCorquodale	Scurlock
Barnett	Daniel	McDermott	Sessions
Bassett	Davis	Meade	Slate
Bethea (M)	Doggett	Meeks	Smith
Bevill	Downing	Morrow	Snell
Blanton	Drake	Nabors	Steagall
Bolton	Edwards (Escambia)	NeSmith	Stembridge
Boston	Edwards (Lowndes)	Nettles	Sullivan
Brown (Jefferson)	Fields	Owens	Teel
Burnham	Fite	Paulk	Thomas
Burns	Gilmore	Pennington	Tuck
Camp	Glass	Perry	Turner (Crenshaw)
Campbell (Jackson)	Grouby	Pierce	Turner (Limestone)
Campbell (Tuscaloosa)	Hain	Posey	Turnham
Cantrell	Hannah	Powell	Vacca
Carr	Harper		

—77

And the bill:

S. 66. For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.	Casey	Harper	Rast
Albea	Cates	Hogan	Reynolds
Avery	Cook	Ingram	Rogers
Baker (DeKalb)	Cooper	Jones (Covington)	Salter
Baker (Madison)	Cornett	Jones (Monroe)	Scurlock
Barnett	Daniel	McCorquodale	Sessions
Bassett	Davis	McDermott	Slate
Bethea (M)	Doggett	Meade	Smith
Bevill	Downing	Meeks	Snell
Blanton	Drake	Morrow	Steagall
Bolton	Edington	Nabors	Stembridge
Boston	Edwards (Escambia)	NeSmith	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Nettles	Teel
Burnham	Fields	Owens	Thomas
Burns	Fite	Paulk	Tuck
Camp	Gilmore	Pennington	Turner (Crenshaw)
Campbell (Jackson)	Glass	Perry	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Pierce	Turnham
Cantrell	Hain	Posey	Vacca
Carr	Hannah	Powell	

—78

And the bill:

S. 69. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.	Casey	Harper	Rast
Albea	Cates	Hogan	Reynolds
Avery	Cook	Ingram	Rogers
Baker (DeKalb)	Cooper	Jones (Covington)	Salter
Baker (Madison)	Cornett	Jones (Monroe)	Scurlock
Barnett	Daniel	McCorquodale	Sessions
Bassett	Davis	McDermott	Slate
Bethea (M)	Doggett	Meade	Smith
Bevill	Downing	Meeks	Snell
Blanton	Drake	Morrow	Steagall
Bolton	Edington	Nabors	Stembridge
Boston	Edwards (Escambia)	NeSmith	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Nettles	Teel
Burnham	Fields	Owens	Thomas
Burns	Fite	Paulk	Tuck
Camp	Gilmore	Pennington	Turner (Crenshaw)
Campbell (Jackson)	Glass	Perry	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Pierce	Turnham
Cantrell	Hain	Posey	Vacca
Carr	Hannah	Powell	

—78

And the bill:

S. 70. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.	Casey	Harper	Rast
Albea	Cates	Hogan	Reynolds
Avery	Cook	Ingram	Rogers
Baker (DeKalb)	Cooper	Jones (Covington)	Salter
Baker (Madison)	Cornett	Jones (Monroe)	Scurlock
Barnett	Daniel	McCorquodale	Sessions
Bassett	Davis	McDermott	Slate
Bethea (M)	Doggett	Meade	Smith
Bevill	Downing	Meeks	Snell
Blanton	Drake	Morrow	Steagall
Bolton	Edington	Nabors	Stembridge
Boston	Edwards (Escambia)	NeSmith	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Nettles	Teel
Burnham	Fields	Owens	Thomas
Burns	Fite	Paulk	Tuck
Camp	Gilmore	Pennington	Turner (Crenshaw)
Campbell (Jackson)	Glass	Perry	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Pierce	Turnham
Cantrell	Hain	Posey	Vacca
Carr	Hannah	Powell	

—78

And the bill:

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

Was taken up.

Mr. Hain offered the following substitute for the bill, S. 87:

SUBSTITUTE TO S. B. 87

A BILL TO BE ENTITLED AN ACT

To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 120, S. 137, Regular Session 1943 (General Acts 1943, p. 121) the Act creating an additional judgeship for the Fourth Judicial Circuit of Alabama, is hereby amended to read as follows:

"Section 3. That the salary of said additional judge of said Fourth Judicial Circuit shall be the same as is paid to the other circuit judges by the State of Alabama. The said additional judge shall be known and designated as the Associate Judge of the said Circuit, and the present judge shall be the Presiding Judge of the Circuit. The two judges of said circuit shall preside over the several courts of said circuit and have equal jurisdiction in all counties of the Circuit. The associate judge of said Fourth Judicial Circuit residing in Dallas County shall in addition to the salary paid by the State of Alabama be paid a supplemental salary of twenty-four hundred dollars per year by Dallas County, Alabama, from the general funds of said county, payable as the salaries of county officers are paid. This supplemental salary shall go into effect commencing with the six year term of said associate judge beginning on the first Monday after the second Tuesday in January of 1965 and shall expire with the expiration date of said term of office. In the event the salary paid by the State of Alabama together with the supplement herein provided shall exceed the sum of \$18,000.00 per annum, said supplement payable under the provisions of this Act shall be diminished in such amount that the total salary paid shall not exceed the sum of \$18,000.00."

And the substitute was adopted.

Yeas 78; Nays 0.

Yeas:

Messrs.	Bevill	Campbell (Jackson)	Cornett
Albea	Blanton	Campbell (Tuscaloosa)	Daniel
Avery	Bolton	Cantrell	Davis
Baker (DeKalb)	Boston	Carr	Doggett
Baker (Madison)	Brown (Jefferson)	Casey	Downing
Barnett	Burnham	Cates	Drake
Bassett	Burns	Cook	Edgington
Bethea (M)	Camp	Cooper	Edwards (Escambia)

Edwards (Lowndes)	Jones (Monroe)	Perry	Snell
Fields	McCorquodale	Pierce	Steagall
Fite	McDermott	Posey	Stembridge
Gilmore	Meade	Powell	Sullivan
Glass	Meeks	Rast	Teel
Grouby	Morrow	Reynolds	Thomas
Hain	Nabors	Rogers	Tuck
Hannah	NeSmith	Salter	Turner (Crenshaw)
Harper	Nettles	Scurlock	Turner (Limestone)
Hogan	Owens	Sessions	Turnham
Ingram	Paulk	Slate	Vacca
Jones (Covington)	Pennington	Smith	

—78

And said bill, S. 87, as thus amended, was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.	Casey	Harper	Rast
Albea	Cates	Hogan	Reynolds
Avery	Cook	Ingram	Rogers
Baker (DeKalb)	Cooper	Jones (Covington)	Salter
Baker (Madison)	Cornett	Jones (Monroe)	Scurlock
Barnett	Daniel	McCorquodale	Sessions
Bassett	Davis	McDermott	Slate
Bethea (M)	Doggett	Meade	Smith
Bevill	Downing	Meeks	Snell
Blanton	Drake	Morrow	Steagall
Bolton	Edgington	Nabors	Stembridge
Boston	Edwards (Escambia)	NeSmith	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Nettles	Teel
Burnham	Fields	Owens	Thomas
Burns	Fite	Paulk	Tuck
Camp	Gilmore	Pennington	Turner (Crenshaw)
Campbell (Jackson)	Glass	Perry	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Pierce	Turnham
Cantrell	Hain	Posey	Vacca
Carr	Hannah	Powell	

—78

And the bill:

S. 89. Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.	Boston	Cook	Fields
Albea	Brown (Jefferson)	Cooper	Fite
Avery	Burnham	Cornett	Gilmore
Baker (DeKalb)	Burns	Daniel	Glass
Baker (Madison)	Camp	Davis	Grouby
Barnett	Campbell (Jackson)	Doggett	Hain
Bassett	Campbell (Tuscaloosa)	Downing	Hannah
Bethea (M)	Cantrell	Drake	Harper
Bevill	Carr	Edgington	Hogan
Blanton	Casey	Edwards (Escambia)	Ingram
Bolton	Cates	Edwards (Lowndes)	Jones (Covington)

Jones (Monroe)	Owens	Rogers	Sullivan
McCorquodale	Paulk	Salter	Teel
McDermott	Pennington	Scurlock	Thomas
Meade	Perry	Sessions	Tuck
Meeks	Pierce	Slate	Turner (Crenshaw)
Morrow	Posey	Smith	Turner (Limestone)
Nabors	Powell	Snell	Turnham
NeSmith	Rast	Steagall	Vacca
Nettles	Reynolds	Stembridge	

—78

And the bill:

S. 90. Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.	Casey	Harper	Rast
Albea	Cates	Hogan	Reynolds
Avery	Cook	Ingram	Rogers
Baker (DeKalb)	Cooper	Jones (Covington)	Salter
Baker (Madison)	Cornett	Jones (Monroe)	Scurlock
Barnett	Daniel	McCorquodale	Sessions
Bassett	Davis	McDermott	Slate
Bethea (M)	Doggett	Meade	Smith
Bevill	Downing	Meeks	Snell
Blanton	Drake	Morrow	Steagall
Bolton	Edington	Nabors	Stembridge
Boston	Edwards (Escambia)	NeSmith	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Nettles	Teel
Burnham	Fields	Owens	Thomas
Burns	Fite	Paulk	Tuck
Camp	Gilmore	Pennington	Turner (Crenshaw)
Campbell (Jackson)	Glass	Perry	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Pierce	Turnham
Cantrell	Hain	Posey	Vacca
Carr	Hannah	Powell	

—78

And the bill:

S. 91. Relating to Greene County; providing for the relief of P. T. Martin.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.	Barnett	Bolton	Camp
Albea	Bassett	Boston	Campbell (Jackson)
Avery	Bethea (M)	Brown (Jefferson)	Campbell (Tuscaloosa)
Baker (DeKalb)	Bevill	Burnham	Cantrell
Baker (Madison)	Blanton	Burns	Carr

Casey	Gilmore	Nabors	Sessions
Cates	Glass	NeSmith	Slate
Cook	Grouby	Nettles	Smith
Cooper	Hain	Owens	Snell
Cornett	Hannah	Paulk	Steagall
Daniel	Harper	Pennington	Stembridge
Davis	Hogan	Perry	Sullivan
Doggett	Ingram	Pierce	Teel
Downing	Jones (Covington)	Posey	Thomas
Drake	Jones (Monroe)	Powell	Tuck
Edington	McCorquodale	Rast	Turner (Crenshaw)
Edwards (Escambia)	McDermott	Reynolds	Turner (Limestone)
Edwards (Lowndes)	Meade	Rogers	Turnham
Fields	Meeks	Salter	Vacca
Fite	Morrow	Scurlock	

—78

BILLS INDEFINITELY POSTPONED

On motion of Mr. Boston, the bill, S. 98 was indefinitely postponed.

On motion of Mr. Hannah, the bill, S. 99 was indefinitely postponed.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 108. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

Also:

H. 160. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Also:

H. 109. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the payment of the compensation of members and chairman of the county governing body.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 114. To provide for congressional districts and for the election of congressmen by districts, amending Code 1940, Title 17, Sections 425 and 426.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

H. 28 POSTPONED

On motion of Mr. Nabors, consideration of the bill, H. 28, was postponed until the tenth legislative day.

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until Friday, August 21, 1964, at ten o'clock A.M. was lost.

Yeas 18; Nays 55.

Yeas:

Messrs.	Hain	McCorquodale	Steagall
Bethea (M)	Ingram	Perry	Stembridge
Bolton	Jones (Covington)	Powell	Teel
Daniel	Jones (Monroe)	Sessions	Vacca
Drake	Little	Smith	

—18

Nays:

Mr. Speaker	Camp	Grouby	NeSmith
Albea	Campbell (Tuscaloosa)	Hannah	Owens
Bailes	Cantrell	Harper	Pierce
Baker (DeKalb)	Casey	Hawkins	Posey
Baker (Madison)	Cates	Heflin	Rast
Barnett	Collins	Hogan	Rogers
Bassett	Cooper	Holladay	Salter
Bevill	Crawford	Locke	Scurlock
Blanton	Downing	McDermott	Slate
Boston	Edwards (Escambia)	Meeks	Snell
Bowers	Edwards (Lowndes)	Merrill	Thomas
Brown (Tuscaloosa)	Engel	Moore	Tuck
Burnham	Etheredge	Morrow	Turner (Limestone)
Callahan	Fite	Nabors	

—55

BILLS ON THIRD READING RESUMED

H. 145. To amend Section 29 of Title 34 of the Code of Alabama of 1940:

Was again taken up.

The motion of Mr. Branyon to indefinitely postpone the bill, H. 145, was lost.

Yeas 44; Nays 45.

Yeas:

Messrs.	Campbell (Jackson)	Hawkins	Powell
Albea	Collins	Hogan	Sessions
Avery	Cook	Holladay	Slate
Bailes	Cornett	Jones (Covington)	Smith
Bassett	Crawford	Jones (Monroe)	Snell
Bethea (B)	Daniel	McCorquodale	Steagall
Blanton	Drake	Merrill	Stembridge
Bolton	Edwards (Escambia)	Moore	Sullivan
Branyon	Etheredge	Morrow	Thomas
Burnham	Hankins	NeSmith	Turner (Limestone)
Callahan	Harper	Nettles	Turnham
Camp			

—44

Nays:

Mr. Speaker	Dominick	Heflin	Perry
Baker (DeKalb)	Downing	Hester	Posey
Baker (Madison)	Edington	Ingram	Pruitt
Barnett	Edwards (Lowndes)	Locke	Rast
Bevill	Engel	McDermott	Reynolds
Boston	Fite	Meade	Rogers
Burns	Gilmore	Meeks	Salter
Campbell (Tuscaloosa)	Glass	Nabors	Scurlock
Cantrell	Goodwyn	Owens	Teel
Casey	Grouby	Paulk	Tuck
Cates	Hannah	Pennington	Vacca

—45

And said bill, H. 145, was then read a third time at length and lost.

Yeas 49; Nays 45.

Yeas:

Mr. Speaker	Cooper	Grouby	Pennington
Baker (DeKalb)	Davis	Heflin	Perry
Baker (Madison)	Dominick	Hester	Posey
Bassett	Downing	Ingram	Pruitt
Bevill	Edington	Little	Rast
Boston	Edwards (Lowndes)	Locke	Reynolds
Bowers	Engel	McCorquodale	Rogers
Brown (Jefferson)	Fite	McDermott	Scurlock
Burns	Gilmore	Meade	Sessions
Campbell (Tuscaloosa)	Glass	Meeks	Sullivan
Cantrell	Goldthwaite	Nabors	Teel
Casey	Goodwyn	Owens	Vacca
Cates			

—49

Nays:

Messrs.	Camp	Harper	Powell
Albea	Campbell (Jackson)	Hawkins	Salter
Avery	Collins	Hogan	Slate
Bailes	Cook	Holladay	Smith
Barnett	Cornett	Jones (Covington)	Snell
Bethea (B)	Crawford	Jones (Monroe)	Steagall
Blanton	Daniel	Merrill	Stembridge
Bolton	Doggett	Moore	Thomas
Branyon	Drake	Morrow	Tuck
Brown (Tuscaloosa)	Edwards (Escambia)	NeSmith	Turner (Limestone)
Burnham	Etheredge	Nettles	Turnham
Callahan	Hankins		

—45

And the bill:

H. 159. To amend Section 19 of Act No. 108, H. 152, Regular Session 1959, an act relating to the practice of chiropractic (Acts 1959, v. 1, p. 612).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 1.

Yeas:

Mr. Speaker	Cates	Hankins	Paulk
Albea	Cook	Hannah	Pennington
Avery	Cooper	Harper	Perry
Baker (DeKalb)	Cornett	Hawkins	Posey
Baker (Madison)	Crawford	Heflin	Powell
Barnett	Daniel	Hester	Pruitt
Bassett	Davis	Hogan	Reynolds
Bevill	Doggett	Holladay	Rogers
Blanton	Dominick	Ingram	Scurlock
Bolton	Downing	Jones (Covington)	Sessions
Boston	Drake	Jones (Monroe)	Slate
Bowers	Edington	Little	Smith
Branyon	Edwards (Escambia)	Locke	Snell
Brown (Jefferson)	Edwards (Lowndes)	McDermott	Steagall
Brown (Tuscaloosa)	Engel	Meade	Stembridge
Burnham	Fields	Meeks	Sullivan
Burns	Fite	Merrill	Teel
Callahan	Gilmore	Moore	Thomas
Campbell (Tuscaloosa)	Glass	Nabors	Tuck
Cantrell	Goodwyn	Nettles	Turner (Limestone)
Carr	Grouby	Owens	Turnham
Casey	Hain		

—86

Nay: Mr. Pierce

—1

H. 138 POSTPONED

On motion of Mr. Rogers, consideration of the bill, H. 138, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 36. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cates	Hawkins	Perry
Albea	Cook	Heflin	Pierce
Avery	Cooper	Hester	Posey
Baker (DeKalb)	Cornett	Hogan	Powell
Baker (Madison)	Crawford	Holladay	Pruitt
Barnett	Daniel	Ingram	Reynolds
Bassett	Davis	Jones (Covington)	Rogers
Bethea (B)	Doggett	Jones (Monroe)	Salter
Bevill	Drake	Little	Scurlock
Blanton	Edington	Locke	Sessions
Bolton	Edwards (Escambia)	McCorquodale	Slate
Boston	Edwards (Lowndes)	Meade	Smith
Bowers	Fields	Meeks	Snell
Branyon	Fite	Merrill	Steagall
Brown (Jefferson)	Gilmore	Moore	Stembridge
Burnham	Glass	Morrow	Sullivan
Burns	Goldthwaite	Nabors	Teel
Callahan	Grouby	NeSmith	Thomas
Camp	Hain	Nettles	Tuck
Campbell (Jackson)	Hankins	Owens	Turner (Limestone)
Cantrell	Hannah	Paulk	Turnham
Carr	Harper	Pennington	Vacca
Casey			

—89

BILLS POSTPONED

On motion of Mr. Casey, consideration of the bills, H. 15 and H. 16, were postponed until the tenth legislative day.

BILLS ON THIRD READING RESUMED

H. 219. To provide additional judges for the tenth judicial circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 6.

Yeas:

Mr. Speaker	Collins	Hannah	Pierce
Albea	Cooper	Hogan	Posey
Bailes	Cornett	Holladay	Powell
Baker (Madison)	Daniel	Ingram	Pruitt
Bassett	Dominick	Jones (Covington)	Rast
Bethea (M)	Downing	Little	Reynolds
Bevill	Drake	Locke	Rogers
Blanton	Edington	McDermott	Scurlock
Boston	Edwards (Escambia)	Meeks	Sessions
Bowers	Edwards (Lowndes)	Merrill	Snell
Brown (Jefferson)	Etheredge	Moore	Steagall
Burnham	Fite	Morrow	Stembridge
Callahan	Gilmore	Nabors	Sullivan
Camp	Glass	NeSmith	Teel
Campbell (Tuscaloosa)	Goldthwaite	Nettles	Thomas
Cantrell	Goodwyn	Owens	Tuck
Carr	Grouby	Paulk	Vacca
Casey	Hain	Perry	

—71

Nays:

Messrs. Avery	Barnett Bolton	Hawkins Slate	Turner (Limestone)	—6
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And the bill:

H. 206 (with amendment). Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

AMENDMENT TO H. B. 206

Strike out Section 1 and insert in lieu thereof the following:

"Section 1. There is hereby created an additional judgeship for the Sixteenth Judicial Circuit. The additional judge shall be appointed for the circuit by the Governor, within 10 days after the effective date of this Act, who shall hold office until his successor is elected and qualified as provided in Article VI, Sections 158 and 159 of the Constitution of Alabama. The judge for the additional judgeship shall be elected thereafter as are other circuit judges in this state."

Also, strike out Section 7 and insert in lieu thereof the following:

"Section 7. This Act shall take effect November 15, 1964."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Grouby	Nettles
Albea	Carr	Hannah	Owens
Avery	Casey	Harper	Pennington
Bailes	Collins	Heflin	Perry
Baker (Madison)	Cooper	Hester	Pierce
Barnett	Cornett	Hogan	Posey
Bassett	Crawford	Holladay	Powell
Bethea (M)	Daniel	Ingram	Pruitt
Bevill	Davis	Jones (Covington)	Rast
Blanton	Doggett	Jones (Monroe)	Reynolds
Boston	Downing	Locke	Rogers
Bowers	Drake	McCorquodale	Scurlock
Brown (Jefferson)	Edgington	McDermott	Sessions
Brown (Tuscaloosa)	Edwards (Escambia)	Meade	Snell
Burnham	Edwards (Lowndes)	Meeks	Steagall
Burns	Etheredge	Merrill	Teel
Callahan	Fite	Moore	Thomas
Camp	Gilmore	Morrow	Tuck
Campbell (Jackson)	Glass	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca

—80

And said bill, H. 206, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 6.

Yeas:

Mr. Speaker	Collins	Hester	Pennington
Albea	Cooper	Hogan	Perry
Bailes	Cornett	Holladay	Pierce
Baker (Madison)	Crawford	Ingram	Posey
Bassett	Daniel	Jones (Covington)	Powell
Bethea (M)	Doggett	Jones (Monroe)	Pruitt
Bevill	Downing	Locke	Rast
Blanton	Drake	McCorquodale	Reynolds
Boston	Edington	McDermott	Rogers
Bowers	Edwards (Escambia)	Meade	Scurlock
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Sessions
Burnham	Etheredge	Merrill	Snell
Burns	Fite	Moore	Steagall
Callahan	Gilmore	Morrow	Sullivan
Camp	Glass	Nabors	Teel
Campbell (Jackson)	Goodwyn	NeSmith	Thomas
Campbell (Tuscaloosa)	Grouby	Nettles	Tuck
Cantrell	Hannah	Owens	Turnham
Carr	Harper	Paulk	Vacca
Casey	Heflin		

—78

Nays:

Messrs.	Barnett	Branyon	Turner (Limestone)
Avery	Bolton	<u>Hankins</u>	

—6

And the bill:

H. 204. To amend Code of Alabama 1940, Title 14, Section 81, so as to make it unlawful to post handbills or notices on utility poles.

Was taken up.

On motion of Mr. Powell, the bill, H. 204, was indefinitely postponed.

Yeas 46; Nays 40.

Yeas:

Messrs.	Brown (Tuscaloosa)	Edwards (Escambia)	Pennington
Avery	Burnham	Edwards (Lowndes)	Perry
Bailes	Camp	Hannah	Posey
Baker (Madison)	Campbell (Jackson)	Harper	Powell
Bassett	Campbell (Tuscaloosa)	Hawkins	Reynolds
Bethea (B)	Casey	Hester	Salter
Bethea (M)	Cates	Hogan	Scurlock
Bevill	Cooper	Jones (Covington)	Stembridge
Boston	Crawford	McCorquodale	Sullivan
Bowers	Davis	Merrill	Thomas
Branyon	Downing	Moore	Vacca
Brown (Jefferson)	Drake	Morrow	

—46

Nays:

Mr. Speaker	Burns	Dominick	Glass
Albea	Cantrell	Edington	Goldthwaite
Barnett	Carr	Etheredge	Goodwyn
Bolton	Daniel	Fields	Grouby

Hain	Little	Owens	Slate
Hankins	McDermott	Paulk	Snell
Heflin	Meeks	Pierce	Steagall
Holladay	Nabors	Pruitt	Teel
Ingram	NeSmith	Rast	Tuck
Jones (Monroe)	Nettles	Rogers	Turner (Limestone)

—40

And the bill:

H. 201 (with amendment). To amend Section 20, Title 34, Code of Alabama 1940.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

AMENDMENT TO H. B. 201

Amend H. B. 201 by striking the word "four (4)" and inserting the word "two (2)" in Sub-Section 7 thereof, and further amending H. B. 201 by striking the last sentence and inserting in lieu thereof the following:

"Providing, however, the Judge trying the case shall determine that such person is hopelessly and incurably insane".

And the amendment was adopted.

Yeas 55; Nays 24.

Yeas:

Mr. Speaker	Cantrell	Hogan	Posey
Albea	Carr	Holladay	Rast
Bailes	Casey	Ingram	Reynolds
Baker (DeKalb)	Cornett	Locke	Rogers
Baker (Madison)	Crawford	McCorquodale	Salter
Bassett	Downing	Meeks	Scurlock
Bevill	Edwards (Escambia)	Merrill	Smith
Bolton	Etheredge	Moore	Steagall
Boston	Glass	Nabors	Sullivan
Brown (Jefferson)	Goldthwaite	NeSmith	Teel
Brown (Tuscaloosa)	Goodwyn	Owens	Thomas
Burnham	Grouby	Paulk	Tuck
Campbell (Jackson)	Hannah	Pennington	Turner (Limestone)
Campbell (Tuscaloosa)	Harper	Perry	

—55

Nays:

Messrs.	Cooper	Hain	Nettles
Avery	Daniel	Hawkins	Powell
Barnett	Doggett	Heflin	Slate
Blanton	Dominick	Jones (Covington)	Stembridge
Bowers	Edwards (Lowndes)	Jones (Monroe)	Turnham
Branyon	Gilmore	McDermott	Vacca
Cook			

—24

And said bill, H. 201, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 28.

Yeas:

Mr. Speaker	Campbell (Jackson)	Hankins	NeSmith
Albea	Campbell (Tuscaloosa)	Hannah	Owens
Bailes	Cantrell	Harper	Pennington
Baker (DeKalb)	Casey	Hogan	Perry
Baker (Madison)	Cornett	Holladay	Reynolds
Bassett	Crawford	Ingram	Rogers
Bevill	Daniel	Jones (Covington)	Scurlock
Blanton	Doggett	Jones (Monroe)	Smith
Bolton	Downing	Little	Snell
Boston	Drake	Meade	Steagall
Brown (Jefferson)	Glass	Meeks	Sullivan
Brown (Tuscaloosa)	Goldthwaite	Merrill	Teel
Burnham	Goodwyn	Moore	Thomas
Burns	Hain	Nabors	Tuck
Callahan			

—57

Nays:

Messrs.	Cook	Heflin	Powell
Avery	Cooper	McCorquodale	Salter
Barnett	Dominick	McDermott	Slate
Bethea (B)	Edwards (Escambia)	Morrow	Stembridge
Bethea (M)	Edwards (Lowndes)	Nettles	Turner (Limestone)
Bowers	Gilmore	Paulk	Turnham
Branyon	Hawkins	Pierce	Vacca
Cates			

—28

And the bill:

H. 182. To provide for removal of prisoners from one municipal jail to another jail under certain specified conditions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Hain	Nettles
Albea	Cantrell	Hankins	Owens
Avery	Carr	Hannah	Pennington
Bailes	Cates	Harper	Perry
Baker (DeKalb)	Collins	Hawkins	Powell
Baker (Madison)	Cook	Heflin	Reynolds
Barnett	Cooper	Hogan	Rogers
Bethea (B)	Cornett	Holladay	Salter
Bethea (M)	Crawford	Ingram	Scurlock
Bevill	Daniel	Jones (Covington)	Sessions
Blanton	Doggett	Jones (Monroe)	Slate
Bolton	Dominick	Little	Snell
Boston	Downing	Locke	Steagall
Bowers	Drake	McCorquodale	Stembridge
Branyon	Edgington	Meade	Teel
Brown (Jefferson)	Edwards (Escambia)	Meeks	Thomas
Burnham	Edwards (Lowndes)	Merrill	Tuck
Burns	Fite	Moore	Turner (Limestone)
Callahan	Gilmore	Morrow	Turnham
Camp	Glass	NeSmith	Vacca
Campbell (Jackson)			

—81

And the bill:

H. 185. To amend Title 61, Section 301 of the 1940 Code of Alabama, as amended, entitled, "Settlement by Consent Without Notice."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hain	Nabors
Albea	Carr	Hankins	NeSmith
Avery	Collins	Hannah	Owens
Bailes	Cooper	Harper	Pennington
Baker (DeKalb)	Cornett	Heflin	Perry
Baker (Madison)	Crawford	Hogan	Pierce
Barnett	Daniel	Holladay	Powell
Bevill	Doggett	Ingram	Reynolds
Blanton	Downing	Jones (Covington)	Rogers
Bolton	Drake	Jones (Monroe)	Salter
Boston	Edington	Locke	Scurlock
Bowers	Edwards (Escambia)	McCorquodale	Slate
Branyon	Fields	McDermott	Snell
Brown (Jefferson)	Fite	Meade	Steagall
Burnham	Gilmore	Meeks	Teel
Burns	Goldthwaite	Merrill	Tuck
Camp	Goodwyn	Moore	Turner (Limestone)
Campbell (Jackson)	Grouby	Morrow	Vacca
Campbell (Tuscaloosa)			

—73

And the bill:

H. 143. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 13.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Hain	Moore
Albea	Cantrell	Hankins	Nabors
Bailes	Carr	Hannah	NeSmith
Baker (DeKalb)	Cornett	Harper	Owens
Barnett	Crawford	Heflin	Paulk
Bassett	Daniel	Hogan	Pierce
Bethea (M)	Downing	Holladay	Posey
Bevill	Drake	Ingram	Powell
Blanton	Edington	Jones (Covington)	Salter
Bolton	Edwards (Escambia)	Jones (Monroe)	Scurlock
Boston	Edwards (Lowndes)	Little	Snell
Brown (Jefferson)	Gilmore	Locke	Steagall
Brown (Tuscaloosa)	Glass	McCorquodale	Stembridge
Burnham	Goldthwaite	McDermott	Tuck
Burns	Goodwyn	Meeks	Turnham
Callahan	Grouby	Merrill	Vacca
Camp			

—65

Nays:

Messrs.	Branyon	Nettles	Rogers
Baker (Madison)	Campbell (Jackson)	Pennington	Slate
Bethea (B)	Dominick	Reynolds	Teel
Bowers	Fite		

—13

And the bill:

H. 141. To amend Act. No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 3.

Yeas:

Mr. Speaker	Brown (Tuscaloosa)	Hankins	Pierce
Albea	Burnham	Hannah	Posey
Avery	Burns	Harper	Powell
Bailes	Camp	Heflin	Pruitt
Baker (DeKalb)	Campbell (Jackson)	Hogan	Reynolds
Baker (Madison)	Campbell (Tuscaloosa)	Holladay	Salter
Barnett	Cantrell	Ingram	Scurlock
Bassett	Collins	Jones (Covington)	Slate
Bethea (B)	Daniel	Locke	Snell
Bethea (M)	Downing	Meeks	Steagall
Bevill	Drake	Merrill	Stembridge
Blanton	Edgington	Morrow	Teel
Bolton	Edwards (Escambia)	Nabors	Tuck
Boston	Fields	NeSmith	Turner (Limestone)
Bowers	Gilmore	Owens	Turnham
Branyon	Glass	Pennington	Vacca
Brown (Jefferson)	Goldthwaite	Perry	

—67

Nays: Messrs. Cooper, Fite and Rogers

—3

And the bill:

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 6.

Yeas:

Mr. Speaker	Barnett	Bolton	Burnham
Albea	Bassett	Boston	Burns
Avery	Bethea (M)	Bowers	Callahan
Bailes	Bevill	Branyon	Camp
Baker (Madison)	Blanton	Brown (Jefferson)	Campbell (Jackson)

Campbell (Tuscaloosa)	Etheredge	McCorquodale	Reynolds
Cates	Fields	McDermott	Rogers
Collins	Gilmore	Meeks	Salter
Cook	Glass	Merrill	Scurlock
Cooper	Grouby	Moore	Sessions
Cornett	Hain	Nabors	Slate
Crawford	Hankins	NeSmith	Snell
Daniel	Harper	Nettles	Steagall
Doggett	Heflin	Owens	Stembridge
Dominick	Hogan	Paulk	Sullivan
Downing	Holladay	Pennington	Teel
Drake	Ingram	Perry	Thomas
Edington	Jones (Covington)	Pierce	Tuck
Edwards (Escambia)	Jones (Monroe)	Powell	Turner (Limestone)
Edwards (Lowndes)	Little	Pruitt	Vacca

—80

Nays:

Messrs.	Brown (Tuscaloosa)	Fite	Posey
Baker (DeKalb)	Cantrell	Hannah	—6

And the bill:

H. 89. To make it unlawful to contribute to the delinquency of children; prescribing penalties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hankins	Pennington
Albea	Carr	Hannah	Perry
Avery	Cates	Harper	Pierce
Bailes	Collins	Heflin	Posey
Baker (DeKalb)	Cook	Hogan	Powell
Baker (Madison)	Cooper	Holladay	Pruitt
Barnett	Cornett	Ingram	Reynolds
Bassett	Crawford	Jones (Covington)	Rogers
Bethea (B)	Daniel	Jones (Monroe)	Salter
Bethea (M)	Doggett	Little	Scurlock
Bevill	Dominick	Locke	Sessions
Blanton	Downing	McCorquodale	Slate
Bolton	Drake	McDermott	Snell
Boston	Edington	Meeks	Steagall
Bowers	Edwards (Escambia)	Merrill	Stembridge
Branyon	Edwards (Lowndes)	Moore	Sullivan
Brown (Jefferson)	Etheredge	Morrow	Teel
Brown (Tuscaloosa)	Fite	Nabors	Thomas
Burnham	Gilmore	NeSmith	Tuck
Callahan	Glass	Nettles	Turner (Limestone)
Camp	Goldthwaite	Owens	Turnham
Campbell (Jackson)	Hain	Paulk	Vacca
Campbell (Tuscaloosa)			

—89

And the bill:

H. 88. To make it unlawful to entice children for immoral purposes or for the purpose of committing assault; and prescribing penalties for violations of the Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hankins	Pennington
Albea	Carr	Hannah	Perry
Avery	Cates	Harper	Pierce
Bailes	Collins	Hawkins	Posey
Baker (DeKalb)	Cook	Heflin	Powell
Baker (Madison)	Cooper	Hogan	Pruitt
Barnett	Cornett	Holladay	Reynolds
Bassett	Crawford	Ingram	Rogers
Bethea (B)	Daniel	Jones (Covington)	Salter
Bethea (M)	Doggett	Jones (Monroe)	Scurlock
Bevill	Dominick	Little	Sessions
Blanton	Downing	Locke	Slate
Bolton	Drake	McCorquodale	Smith
Boston	Edington	McDermott	Snell
Bowers	Edwards (Escambia)	Meeks	Steagall
Branyon	Edwards (Lowndes)	Merrill	Stembridge
Brown (Jefferson)	Etheredge	Moore	Sullivan
Burnham	Fields	Morrow	Teel
Burns	Fite	Nabors	Thomas
Callahan	Gilmore	NeSmith	Tuck
Camp	Glass	Nettles	Turner (Limestone)
Campbell (Jackson)	Grouby	Owens	Turnham
Campbell (Tuscaloosa)	Hain	Paulk	Vacca

—92

And the bill:

H. 86. Prescribing further penalties for certain assaults, and assaults and batteries.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Hain	Paulk
Albea	Cantrell	Hankins	Pennington
Avery	Carr	Hannah	Perry
Bailes	Cates	Harper	Pierce
Baker (DeKalb)	Collins	Hawkins	Posey
Baker (Madison)	Cook	Heflin	Powell
Barnett	Cooper	Hogan	Pruitt
Bassett	Cornett	Holladay	Reynolds
Bethea (B)	Crawford	Ingram	Rogers
Bethea (M)	Daniel	Jones (Covington)	Salter
Bevill	Doggett	Jones (Monroe)	Scurlock
Blanton	Dominick	Little	Sessions
Bolton	Downing	McCorquodale	Snell
Boston	Drake	McDermott	Steagall
Bowers	Edington	Meeks	Stembridge
Branyon	Edwards (Escambia)	Merrill	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Moore	Teel
Brown (Tuscaloosa)	Etheredge	Morrow	Thomas
Burnham	Fields	Nabors	Tuck
Burns	Gilmore	NeSmith	Turner (Limestone)
Callahan	Glass	Nettles	Turnham
Camp	Goldthwaite	Owens	Vacca
Campbell (Jackson)	Grouby		

—90

And the bill:

H. 85. To provide further for the custody in prison of sex offenders, requiring their segregation, prescribing penalties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hain	Paulk
Albea	Carr	Hankins	Pennington
Avery	Cates	Hannah	Perry
Bailes	Collins	Harper	Pierce
Baker (DeKalb)	Cook	Hawkins	Posey
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Cornett	Hogan	Pruitt
Bassett	Crawford	Holladay	Reynolds
Bethea (B)	Daniel	Ingram	Rogers
Bethea (M)	Doggett	Jones (Covington)	Salter
Bevill	Dominick	Little	Scurlock
Blanton	Downing	Locke	Sessions
Bolton	Drake	McCorquodale	Slate
Boston	Edington	McDermott	Snell
Bowers	Edwards (Escambia)	Meade	Steagall
Branyon	Edwards (Lowndes)	Meeks	Stembridge
Brown (Jefferson)	Etheredge	Merrill	Sullivan
Brown (Tuscaloosa)	Fields	Moore	Teel
Burnham	Fite	Morrow	Thomas
Burns	Gilmore	Nabors	Tuck
Callahan	Glass	NeSmith	Turner (Limestone)
Camp	Goldthwaite	Nettles	Turnham
Campbell (Jackson)	Goodwyn	Owens	Vacca
Campbell (Tuscaloosa)	Grouby		

—94

And the bill:

H. 10 (with amendment). To provide for conditional release of county prisoners; repealing conflicting laws.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

AMENDMENT TO H. B. 10

In Section 1, first sentence, strike out "the solicitor who prosecuted the case and"; also, in the second sentence, strike out "either the solicitor or" and insert "the"

On motion of Mr. Perry the amendment reported by the Standing Committee on Judiciary was laid upon the table.

Yeas 51; Nays 28.

Yeas:

Messrs.	Bethea (B)	Branyon	Campbell (Jackson)
Avery	Bethea (M)	Brown (Jefferson)	Campbell (Tuscaloosa)
Bailes	Blanton	Burnham	Cook
Baker (DeKalb)	Bowers	Burns	Cooper

Daniel	Hain	Locke	Perry
Doggett	Hankins	McCorquodale	Pierce
Dominick	Harper	McDermott	Pruitt
Downing	Hawkins	Meeks	Rast
Edwards (Escambia)	Heflin	Moore	Sullivan
Edwards (Lowndes)	Hogan	Morrow	Tuck
Etheredge	Ingram	Nettles	Turner (Limestone)
Gilmore	Jones (Covington)	Paulk	Turnham
Goldthwaite	Little	Pennington	Vacca

—51

Nays:

Mr. Speaker	Cantrell	Holladay	Salter
Albea	Casey	Jones (Monroe)	Slate
Bolton	Cornett	Nabors	Snell
Boston	Crawford	Owens	Steagall
Brown (Tuscaloosa)	Drake	Posey	Stembridge
Callahan	Grouby	Powell	Teel
Camp	Hannah	Rogers	Thomas

—28

And on motion of Mr. Perry, further consideration of the bill, H. 10, was postponed until the ninth legislative day.

And the bill:

H. 9. To provide for time of trial or dismissal of charges pending against defendants or charges filed against defendants who are serving sentences in the penitentiary.

Was taken up.

The motion of Mr. Perry to indefinitely postpone the bill, H. 9, was lost.

Yeas 17; Nays 57.

Yeas:

Messrs.	Campbell (Tuscaloosa)	Heflin	Perry
Avery	Edington	Locke	Rogers
Barnett	Etheredge	Morrow	Salter
Bethea (M)	Hain	Paulk	Turnham
Campbell (Jackson)	Hawkins		

—17

Nays:

Mr. Speaker	Cook	Hannah	Owens
Albea	Cooper	Harper	Pierce
Bailes	Cornett	Hogan	Posey
Baker (DeKalb)	Crawford	Holladay	Powell
Bevill	Doggett	Ingram	Rast
Blanton	Dominick	Jones (Covington)	Scurlock
Bolton	Downing	Jones (Monroe)	Slate
Boston	Drake	Little	Snell
Burnham	Edwards (Escambia)	McCorquodale	Steagall
Burns	Edwards (Lowndes)	McDermott	Stembridge
Callahan	Fields	Merrill	Teel
Camp	Goldthwaite	Moore	Thomas
Cantrell	Goodwyn	Nabors	Tuck
Carr	Grouby	NeSmith	Turner (Limestone)
Casey			

—57

And said bill, H. 9, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 15.

Yeas:

Mr. Speaker	Cook	Heflin	Pennington
Albea	Cooper	Hogan	Pierce
Bailes	Cornett	Holladay	Posey
Baker (DeKalb)	Crawford	Ingram	Powell
Bevill	Daniel	Jones (Covington)	Pruitt
Blanton	Doggett	Jones (Monroe)	Rast
Bolton	Dominick	Little	Scurlock
Boston	Downing	McCorquodale	Slate
Brown (Jefferson)	Drake	McDermott	Snell
Burnham	Edwards (Escambia)	Meade	Steagall
Burns	Fields	Merrill	Stembridge
Callahan	Goldthwaite	Moore	Sullivan
Camp	Goodwyn	Nabors	Teel
Cantrell	Grouby	NeSmith	Thomas
Carr	Hannah	Nettles	Turner (Limestone)
Casey	Harper	Owens	Vacca

—64

Nays:

Messrs.	Bethea (M)	Hawkins	Rogers
Avery	Campbell (Jackson)	Locke	Salter
Barnett	Campbell (Tuscaloosa)	Paulk	Tuck
Bethea (B)	Edington	Perry	Turnham

—15

And the bill:

H. 8. Relating to the administration of pardons and paroles, amending Title 42, Section 13, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Casey	Harper	Pierce
Albea	Cates	Heflin	Posey
Avery	Cook	Hogan	Powell
Bailes	Cooper	Holladay	Pruitt
Baker (DeKalb)	Cornett	Ingram	Rast
Baker (Madison)	Crawford	Jones (Covington)	Reynolds
Barnett	Daniel	Jones (Monroe)	Rogers
Bassett	Doggett	Little	Salter
Bethea (B)	Dominick	Locke	Scurlock
Bethea (M)	Downing	McCorquodale	Sessions
Bevill	Drake	McDermott	Slate
Blanton	Edington	Meeks	Snell
Bolton	Edwards (Escambia)	Merrill	Steagall
Boston	Edwards (Lowndes)	Moore	Stembridge
Bowers	Etheredge	Morrow	Sullivan
Burnham	Fields	Nabors	Teel
Burns	Gilmore	NeSmith	Thomas
Callahan	Glass	Nettles	Tuck
Camp	Goldthwaite	Owens	Turner (Limestone)
Cantrell	Grouby	Paulk	Turnham
Carr	Hannah	Pennington	Vacca

—84

And the bill:

H. 7. Relating to the administration of pardons and paroles, providing for the waiver of certain notice, further amending Title 42, Section 16, Code of Alabama 1940.

Was taken up.

On motion of Mr. Merrill, the motion of Mr. Perry to postpone further consideration of the bill, H. 7, until the next legislative day, was laid upon the table.

Yeas 50; Nays 24.

Yeas:

Mr. Speaker	Campbell (Jackson)	Hannah	Pennington
Albea	Cantrell	Harper	Posey
Bailes	Casey	Hogan	Powell
Baker (Madison)	Cates	Ingram	Rast
Barnett	Cooper	Jones (Monroe)	Scurlock
Bassett	Cornett	Little	Sessions
Bevill	Crawford	McCorquodale	Snell
Bolton	Daniel	McDermott	Steagall
Boston	Downing	Merrill	Stembridge
Burnham	Drake	Nabors	Teel
Burns	Edwards (Escambia)	NeSmith	Thomas
Callahan	Goodwyn	Paulk	Tuck
Camp	Grouby		

—50

Nays:

Messrs.	Edington	Locke	Rogers
Avery	Gilmore	Meeks	Salter
Bethea (B)	Hawkins	Morrow	Slate
Bethea (M)	Heflin	Owens	Sullivan
Bowers	Holladay	Perry	Turner (Limestone)
Campbell (Tuscaloosa)	Jones (Covington)	Pierce	Turnham
Cook			

—24

And said bill, H. 7, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 11.

Yeas:

Mr. Speaker	Campbell (Jackson)	Grouby	Pennington
Albea	Cantrell	Hannah	Pierce
Avery	Casey	Harper	Posey
Bailes	Cates	Heflin	Powell
Baker (DeKalb)	Cook	Hogan	Rast
Baker (Madison)	Cooper	Ingram	Scurlock
Barnett	Cornett	Jones (Covington)	Slate
Bassett	Crawford	Jones (Monroe)	Steagall
Bevill	Daniel	Little	Stembridge
Blanton	Downing	McCorquodale	Sullivan
Bolton	Drake	McDermott	Teel
Boston	Edwards (Escambia)	Merrill	Thomas
Brown (Jefferson)	Edwards (Lowndes)	Nabors	Tuck
Burnham	Glass	NeSmith	Turner (Limestone)
Burns	Goldthwaite	Owens	Turnham
Callahan	Goodwyn	Paulk	Vacca
Camp			

—65

Nays:

Messrs.	Bowers	Hawkins	Perry
Bethea (B)	Campbell (Tuscaloosa)	Locke	Salter
Bethea (M)	Edington	Morrow	Snell

—11

And the bill:

H. 6. Relating to the pardon and parole of persons whose sentence to death has been commuted by the Governor to life imprisonment; repealing Act No. 804, S. 355, Regular Session 1951 (Acts 1951, p. 1401).

Was taken up.

And on motion of Mr. McDermott, the bill, H. 6, was indefinitely postponed.

Yeas 52; Nays 27.

Yeas:

Messrs.	Crawford	Holladay	Pennington
Avery	Daniel	Ingram	Perry
Bailes	Doggett	Jones (Covington)	Pierce
Barnett	Downing	Little	Powell
Bassett	Edington	Locke	Pruitt
Bethea (B)	Edwards (Lowndes)	McCorquodale	Rast
Blanton	Etheredge	McDermott	Salter
Bowers	Gilmore	Meeks	Scurlock
Campbell (Jackson)	Goldthwaite	Moore	Sessions
Campbell (Tuscaloosa)	Hannah	Morrow	Slate
Carr	Harper	Nabors	Sullivan
Casey	Hawkins	Nettles	Tuck
Collins	Heflin	Owens	Vacca
Cooper			

—52

Nays:

Mr. Speaker	Burns	Fields	Snell
Albea	Callahan	Grouby	Steagall
Baker (DeKalb)	Camp	Hogan	Stembridge
Bevill	Cook	Jones (Monroe)	Teel
Bolton	Cornett	Merrill	Thomas
Boston	Drake	NeSmith	Turnham
Burnham	Edwards (Escambia)	Paulk	

—27

And the bill:

H. 244 (with amendment). Relating to the Seventh Judicial Circuit; providing for an additional circuit court judge in such circuit.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

AMENDMENT TO H. B. 244

In Section 1, strike out "Section 158" and insert "Sections 158 and 159".

Also, in Section 7, strike out "October 1, 1964" and insert "November 15, 1964".

And the amendment was adopted.

Yeas 67; Nays 4.

Yeas:

Mr. Speaker	Casey	Hannah	Owens
Albea	Collins	Harper	Paulk
Bailes	Cooper	Heflin	Pennington
Baker (Madison)	Cornett	Hogan	Perry
Barnett	Daniel	Holladay	Pierce
Bassett	Doggett	Ingram	Powell
Bevill	Dominick	Jones (Covington)	Rast
Blanton	Downing	Jones (Monroe)	Rogers
Bolton	Drake	Locke	Salter
Boston	Edington	McCorquodale	Scurlock
Bowers	Edwards (Escambia)	McDermott	Sessions
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Steagall
Burnham	Etheredge	Merrill	Stembridge
Burns	Gilmore	Moore	Sullivan
Camp	Glass	Nabors	Teel
Campbell (Jackson)	Goodwyn	NeSmith	Thomas
Cantrell	Grouby	Nettles	

—67

Nays:

Messrs. Avery, Campbell (Tuscaloosa), Tuck, Turner (Limestone) 4

Mr. Callahan offered the following amendment to the bill, H. 244, as amended:

AMENDMENT TO H. B. 244

Amend Section 1, of House Bill 244 by adding after the word "Seventh Judicial Circuit", the words "and the Sixth Judicial Circuit" and amend Section 4 by adding after the word "Seventh Judicial Circuit", the words "and the Sixth Judicial Circuit" and amend the title of said bill by adding after the word "Seventh Judicial Circuit", the words "and the Sixth Judicial Circuit".

And the amendment was adopted.

Yeas 34; Nays 14.

Yeas:

Mr. Speaker	Cook	Ingram	Paulk
Albea	Cornett	Jones (Covington)	Pennington
Bassett	Daniel	Meeks	Powell
Bevill	Downing	Merrill	Rast
Boston	Drake	Moore	Scurlock
Brown (Jefferson)	Edwards (Escambia)	Nabors	Steagall
Burnham	Glass	NeSmith	Turnham
Callahan	Hannah	Owens	Vacca
Casey	Hogan		

—34

Nays:

Messrs.	Brown (Tuscaloosa)	Holladay	Stembridge
Avery	Camp	Jones (Monroe)	Tuck
Bailes	Campbell (Tuscaloosa)	McDermott	Turner (Limestone)
Barnett	Heflin	Perry	

—14

The presence of a quorum was questioned. The Speaker ruled that a quorum was present.

And said bill, H. 244, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 14.

Yeas:

Mr. Speaker	Cooper	Hannah	Pierce
Albea	Cornett	Hogan	Powell
Bailes	Crawford	Ingram	Reynolds
Bevill	Daniel	Jones (Covington)	Rogers
Blanton	Downing	Locke	Scurlock
Boston	Drake	McDermott	Sessions
Burnham	Edington	Merrill	Steagall
Burns	Edwards (Escambia)	Moore	Sullivan
Callahan	Etheredge	Nabors	Teel
Camp	Glass	NeSmith	Thomas
Campbell (Jackson)	Goodwyn	Owens	Vacca
Casey	Grouby	Pennington	—47

Nays:

Messrs.	Brown (Jefferson)	Heflin	Tuck
Avery	Brown (Tuscaloosa)	Perry	Turner (Limestone)
Barnett	Campbell (Tuscaloosa)	Salter	Turnham
Bolton	Cook	Snell	—14

And the bill:

H. 220. TO ALTER, REARRANGE, AND EXTEND THE BOUNDARIES OF THE CITY OF BESSEMER IN JEFFERSON COUNTY, PROVIDING FOR A REFERENDUM ELECTION TO DETERMINE WHETHER THE ACT WILL BECOME EFFECTIVE.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 7.

Yeas:

Mr. Speaker	Cook	Hannah	Pierce
Albea	Cooper	Harper	Powell
Avery	Cornett	Heflin	Rast
Baker (DeKalb)	Crawford	Hogan	Reynolds
Baker (Madison)	Daniel	Ingram	Rogers
Bassett	Doggett	Jones (Covington)	Scurlock
Bevill	Dominick	Little	Slate
Blanton	Downing	McCorquodale	Snell
Boston	Drake	Meeks	Steagall
Bowers	Edington	Moore	Stembridge
Burnham	Edwards (Escambia)	Nabors	Sullivan
Camp	Edwards (Lowndes)	NeSmith	Teel
Campbell (Jackson)	Gilmore	Nettles	Turnham
Campbell (Tuscaloosa)	Glass	Owens	Vacca
Cantrell	Goldthwaite	Paulk	—63
Carr	Grouby	Pennington	

*Nays:*Messrs.
BarnettCollins
MorrowPerry
PruittSessions
Tuck

—7

And the bill:

H. 200. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker	Campbell(Tuscaloosa)	Glass	NeSmith
Albee	Cantrell	Goldthwaite	Nettles
Avery	Carr	Grouby	Owens
Bailes	Casey	Hannah	Paulk
Baker (DeKalb)	Cates	Harper	Pennington
Baker (Madison)	Cook	Hawkins	Perry
Barnett	Cooper	Hoflin	Pierce
Bassett	Cornett	Hogan	Powell
Bethea (B)	Crawford	Ingram	Reynolds
Bevill	Daniel	Jones (Monroe)	Rogers
Blanton	Doggett	Little	Scurlock
Bolton	Dominick	Locke	Sessions
Boston	Downing	McCorquodale	Snell
Bowers	Drake	McDermott	Steagall
Burnham	Edgington	Meeks	Stembridge
Burns	Edwards (Escambia)	Merrill	Sullivan
Callahan	Edwards (Lowndes)	Moore	Teel
Camp	Fields	Morrow	Thomas
Campbell (Jackson)	Gilmore	Nabors	Turnham

—76

Nay: Mr. Tuck

—1

And the bill:

H. 83. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Was taken up.

Mr. Bailes offered the following amendment to the bill, H. 83:

AMENDMENT TO H. B. 83

After words Jefferson County Community Chest, Inc. add Alabama Masonic Home.

And the amendment was adopted.

Yeas 61; Nays 5.

Yeas:

Mr. Speaker	Callahan	Hannah	Perry
Albea	Camp	Harper	Powell
Bailes	Campbell (Jackson)	Hawkins	Reynolds
Baker (DeKalb)	Cantrell	Hogan	Salter
Baker (Madison)	Casey	Ingram	Scurlock
Barnett	Cates	Jones (Covington)	Sessions
Bassett	Cook	Little	Slate
Bevill	Daniel	Locke	Steagall
Blanton	Edington	McDermott	Stembridge
Bolton	Edwards (Escambia)	Moore	Sullivan
Boston	Edwards (Lowndes)	Morrow	Thomas
Bowers	Etheredge	NeSmith	Tuck
Brown (Jefferson)	Fields	Owens	Turner (Limestone)
Brown (Tuscaloosa)	Glass	Paulk	Turnham
Burnham	Grouby	Pennington	Vacca
Burns			

—61

Nays:

Messrs.	Crawford	Jones (Monroe)	Nettles
Bethea (M)	Heflin		

—5

On motion of Mr. Etheredge, the motion of Mr. McDermott to postpone further consideration of the bill, H. 83, as amended, until the next legislative day, was laid upon the table.

Yeas 52; Nays 17.

Yeas:

Mr. Speaker	Callahan	Glass	Owens
Albea	Camp	Goldthwaite	Paulk
Bailes	Cantrell	Grouby	Pennington
Baker (DeKalb)	Carr	Hannah	Perry
Baker (Madison)	Casey	Harper	Powell
Barnett	Cates	Hawkins	Rast
Bevill	Cooper	Ingram	Reynolds
Blanton	Cornett	Jones (Monroe)	Scurlock
Boston	Crawford	Little	Slate
Bowers	Daniel	McCorquodale	Sullivan
Brown (Jefferson)	Drake	Merrill	Thomas
Brown (Tuscaloosa)	Edwards (Escambia)	Nabors	Tuck
Burnham	Gilmore	NeSmith	Vacca

—52

Nays:

Messrs.	Campbell (Jackson)	Heflin	McDermott
Avery	Cook	Hogan	Morrow
Bethea (B)	Dominick	Jones (Covington)	Salter
Bethea (M)	Downing	Locke	Turnham
Bolton	Edington		

—17

MOTION TO ADJOURN ADOPTED

Mr. Jones (Covington) moved that the House adjourn until Friday, August 21, 1964, at ten o'clock A.M.

The substitute motion of Mr. Rogers that when the House adjourns today, it adjourns to meet again Wednesday, August 19, 1964, at eleven o'clock A.M., and when the House adjourns Wednesday, it adjourns to meet again Friday, August 21, 1964, at ten o'clock A.M., was adopted.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	Cantrell	Hannah	Perry
Albea	Casey	Hawkins	Pierce
Avery	Cates	Hogan	Powell
Bailes	Cook	Holladay	Rast
Baker (DeKalb)	Cooper	Ingram	Reynolds
Baker (Madison)	Cornett	Jones (Monroe)	Rogers
Barnett	Crawford	Little	Salter
Bassett	Daniel	Locke	Scurlock
Bethea (B)	Doggett	McCorquodale	Sessions
Bevill	Downing	McDermott	Slate
Blanton	Drake	Meeks	Snell
Bolton	Edington	Merrill	Steagall
Boston	Edwards (Escambia)	Moore	Stembridge
Bowers	Edwards (Lowndes)	Morrow	Sullivan
Brown (Tuscaloosa)	Etheredge	Nabors	Teel
Burnham	Fields	NeSmith	Thomas
Burns	Glass	Nettles	Tuck
Camp	Goldthwaite	Owens	Turnham
Campbell (Jackson)	Goodwyn	Paulk	Vacca
Campbell (Tuscaloosa)	Grouby	Pennington	

—79

Nay: Mr. Jones (Covington)

—1

BILLS ON THIRD READING RESUMED

CONSIDERATION OF H. 83 RESUMED

H. 83. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

As amended, was again taken up.

The motion of Mr. Bailes to reconsider the vote by which the amendment offered by him to the bill, H. 83, was adopted, was adopted.

And the amendment offered by Mr. Bailes to the bill, H. 83, was again taken up.

And said amendment was lost.

Yeas 14; Nays 47.

Yeas:

Messrs.	Bethea (B)	Cornett	Paulk
Albea	Bolton	McCorquodale	Rast
Avery	Brown (Tuscaloosa)	Meeks	Teel
Bailes	Burnham	Morrow	

—14

Nays:

Mr. Speaker	Blanton	Cantrell	Downing
Baker (DeKalb)	Boston	Cates	Edwards (Escambia)
Baker (Madison)	Brown (Jefferson)	Cooper	Glass
Barnett	Burns	Crawford	Goldthwaite
Bassett	Camp	Daniel	Hannah
Bethea (M)	Campbell (Jackson)	Doggett	Hogan
Bevill	Campbell (Tuscaloosa)	Dominick	Jones (Covington)

McDermott	Owens	Reynolds	Slate
Merrill	Pennington	Rogers	Snell
Moore	Perry	Salter	Sullivan
NeSmith	Pierce	Scurlock	Tuck
Nettles	Powell	Sessions	—47

And said bill, H. 83, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Campbell(Tuscaloosa)	Grouby	Powell
Albea	Cantrell	Hannah	Rast
Bailes	Carr	Hawkins	Reynolds
Baker (DeKalb)	Cates	Hogan	Rogers
Baker (Madison)	Cooper	Ingram	Salter
Barnett	Cornett	Little	Scurlock
Bassett	Crawford	Locke	Sessions
Bevill	Daniel	McCorquodale	Slate
Blanton	Doggett	McDermott	Smith
Bolton	Dominick	Merrill	Snell
Boston	Downing	Moore	Steagall
Bowers	Edington	Morrow	Sullivan
Brown (Jefferson)	Edwards (Escambia)	Nettles	Teel
Brown (Tuscaloosa)	Edwards (Lowndes)	Owens	Thomas
Burnham	Etheredge	Paulk	Tuck
Burns	Fields	Pennington	Turnham
Camp	Glass	Perry	Vacca
Campbell (Jackson)	Goldthwaite	Pierce	—71

Nays:

Messrs.	Avery	Bethea (M)	Jones (Covington)	—3
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And the bill:

H. 236. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Boston	Cates	Gilmore
Albea	Bowers	Cooper	Glass
Avery	Brown (Jefferson)	Cornett	Goldthwaite
Bailes	Burnham	Crawford	Grouby
Baker (DeKalb)	Burns	Daniel	Hannah
Baker (Madison)	Callahan	Doggett	Harper
Barnett	Camp	Dominick	Hawkins
Bassett	Campbell (Jackson)	Downing	Heflin
Bethea (M)	Campbell(Tuscaloosa)	Edington	Hogan
Bevill	Cantrell	Edwards (Escambia)	Ingram
Blanton	Carr	Edwards (Lowndes)	Jones (Covington)
Bolton	Casey	Fields	Little

Callahan	Edwards (Escambia)	Meeks	Rogers
Camp	Edwards (Lowndes)	Merrill	Scurlock
Cantrell	Etheredge	Moore	Slate
Casey	Fields	Morrow	Smith
Cates	Glass	Nabors	Steagall
Cooper	Goodwyn	Nettles	Sullivan
Cornett	Grouby	Owens	Teel
Daniel	Hawkins	Paulk	Thomas
Doggett	Hogan	Perry	Tuck
Dominick	Little	Pierce	Turner (Limestone)
Downing	McCorquodale	Rast	Vacca
Edington	McDermott		

—58

Nays:

Messrs.	Campbell (Tuscaloosa)	Jones (Covington)	Salter
Avery	Carr	Locke	Snell
Baker (DeKalb)	Cook	Pennington	Turnham
Barnett	Hannah	Powell	

—14

And the bill:

H. 132. To amend Code of Alabama 1940, Title 29, Section 1, in relation to definitions of terms used in the ABC Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 51; Nays 25.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Gilmore	Pennington
Albea	Cantrell	Goldthwaite	Pierce
Bailes	Carr	Goodwyn	Rast
Baker (Madison)	Casey	Hannah	Reynolds
Barnett	Cates	Harper	Rogers
Bassett	Cornett	Heflin	Slate
Bolton	Daniel	Hogan	Smith
Boston	Doggett	Ingram	Snell
Branyon	Dominick	Jones (Covington)	Sullivan
Brown (Tuscaloosa)	Downing	McDermott	Teel
Burnham	Edington	Merrill	Thomas
Callahan	Edwards (Escambia)	Moore	Turner (Limestone)
Campbell (Jackson)	Fields	Owens	

—51

Nays:

Messrs.	Crawford	Morrow	Salter
Avery	Etheredge	Nabors	Scurlock
Baker (DeKalb)	Grouby	Nettles	Steagall
Bethea (B)	Hawkins	Paulk	Stembridge
Bethea (M)	Locke	Perry	Tuck
Bevill	McCorquodale	Powell	Turnham
Cooper	Meeks		

—25

And the bill:

H. 193. To make an appropriation to the State Board of Chiropractic Examiners for the fiscal year ending September 30, 1965.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Camp	Goodwyn	Paulk
Albea	Campbell (Jackson)	Grouby	Pennington
Avery	Campbell (Tuscaloosa)	Hannah	Perry
Bailes	Cantrell	Harper	Powell
Baker (DeKalb)	Carr	Hawkins	Reynolds
Baker (Madison)	Casey	Heflin	Rogers
Barnett	Cates	Hogan	Salter
Bassett	Cooper	Ingram	Scurlock
Bethea (B)	Cornett	Jones (Covington)	Slate
Bethea (M)	Crawford	Locke	Smith
Bevill	Daniel	McCorquodale	Snell
Blanton	Doggett	McDermott	Steagall
Bolton	Dominick	Meeks	Stembridge
Boston	Downing	Merrill	Sullivan
Branyon	Edington	Morrow	Teel
Brown (Jefferson)	Edwards (Escambia)	Nabors	Thomas
Brown (Tuscaloosa)	Edwards (Lowndes)	NeSmith	Tuck
Burnham	Etheredge	Nettles	Turner (Limestone)
Burns	Gilmore	Owens	Turnham
Callahan	Glass		

—78

And the bill:

H. 248. Relating to judicial circuits composed of two counties having two judges; fixing the salaries of the official court reporters of such circuits and providing for the payment thereof.

Was taken up.

Mr. Merrill offered the following amendment to the bill, H. 248:

AMENDMENT TO H. B. 248

In the title strike out "Relating to judicial circuits composed of two counties having two judges" and insert "Relating to the Seventh Judicial Circuit of Alabama"

Also, in Section 1, strike out "any judicial circuit composed of two counties having two judges" and insert "the Seventh Judicial Circuit of Alabama"

And the amendment was adopted.

Yeas 71; Nays 2.

Yeas:

Mr. Speaker	Brown (Tuscaloosa)	Dominick	Harper
Albea	Burnham	Downing	Hogan
Bailes	Burns	Edington	Ingram
Baker (DeKalb)	Callahan	Edwards (Escambia)	Jones (Covington)
Baker (Madison)	Camp	Edwards (Lowndes)	Locke
Bassett	Campbell (Jackson)	Etheredge	McCorquodale
Bethea (B)	Cantrell	Fields	McDermott
Bevill	Cates	Gilmore	Meeks
Blanton	Cooper	Glass	Merrill
Bolton	Cornett	Goldthwaite	Moore
Boston	Crawford	Goodwyn	Nabors
Bowers	Daniel	Grouby	NeSmith
Brown (Jefferson)	Doggett	Hannah	Nettles

Owens	Rast	Slate	Teel
Paulk	Reynolds	Smith	Thomas
Pennington	Rogers	Snell	Turnham
Perry	Salter	Steagall	Vacca
Powell	Scurlock	Sullivan	—71

Nays: Messrs. Avery and Tuck —2

And said bill, H. 248, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 2.

Yeas:

Mr. Speaker	Campbell (Jackson)	Grouby	Pennington
Albea	Cantrell	Hannah	Perry
Bailes	Cates	Harper	Powell
Baker (DeKalb)	Cooper	Hogan	Rast
Baker (Madison)	Cornett	Ingram	Reynolds
Bassett	Crawford	Jones (Covington)	Rogers
Bethea (B)	Daniel	Locke	Salter
Bevill	Doggett	McCorquodale	Scurlock
Blanton	Dominick	McDermott	Slate
Bolton	Downing	Meeks	Smith
Boston	Edington	Merrill	Snell
Bowers	Edwards (Escambia)	Moore	Steagall
Brown (Jefferson)	Etheredge	Nabors	Sullivan
Brown (Tuscaloosa)	Gilmore	NeSmith	Teel
Burnham	Glass	Nettles	Thomas
Burns	Goldthwaite	Owens	Turnham
Callahan	Goodwyn	Paulk	Vacca
Camp			—69

Nays: Messrs. Avery and Tuck —2

And the bill:

H. 142. To authorize and require the expenditure of funds in the Public Welfare Trust Fund, created by Title 49, Section 17, Sub-section 27 of the Code of Alabama of 1940, to provide Juvenile Court probationary services in all those counties in which Juvenile Court probationary service is not furnished by the State Department of Pensions and Security and to authorize the matching of funds with local counties employing Juvenile Court Probation Officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Bethea (B)	Burnham	Cornett
Albea	Bevill	Burns	Daniel
Avery	Blanton	Callahan	Doggett
Bailes	Bolton	Camp	Downing
Baker (Madison)	Boston	Campbell (Tuscaloosa)	Edington
Barnett	Bowers	Cantrell	Edwards (Escambia)
Bassett	Brown (Jefferson)	Cates	Edwards (Lowndes)
Bethea (B)	Brown (Tuscaloosa)	Cooper	Etheredge

Fields	Ingram	Owens	Slate
Gilmore	Jones (Covington)	Paulk	Smith
Glass	Little	Pennington	Snell
Goldthwaite	Locke	Perry	Steagall
Goodwyn	McCorquodale	Powell	Stembridge
Grouby	McDermott	Rast	Sullivan
Hannah	Meeks	Reynolds	Teel
Harper	Moore	Rogers	Tuck
Hawkins	Morrow	Salter	Turnham
Heflin	Nabors	Scurlock	Vacca
Hogan	Nettles	Sessions	

—75

And the bill:

H. 237. To further amend Section 26 of Title 46, of the Code of Alabama of 1940.

Was taken up.

The motion of Mr. Rogers to indefinitely postpone, the bill, H. 237, was lost.

Yeas 13; Nays 49.

Yeas:

Messrs.	Etheredge	McDermott	Perry
Cornett	Goodwyn	Merrill	Rast
Downing	Ingram	Morrow	Rogers
Edington	Little		

13

Nays:

Mr. Speaker	Camp	Grouby	Powell
Albea	Campbell (Tuscaloosa)	Hannah	Reynolds
Avery	Cantrell	Harper	Salter
Bailes	Carr	Heflin	Scurlock
Baker (Madison)	Cates	Jones (Covington)	Slate
Barnett	Crawford	McCorquodale	Snell
Bassett	Daniel	Nabors	Stembridge
Bethea (M)	Doggett	Nettles	Sullivan
Boston	Drake	Owens	Tuck
Bowers	Edwards (Escambia)	Paulk	Turner (Limestone)
Brown (Tuscaloosa)	Gilmore	Pennington	Turnham
Burns	Glass	Pierce	Vacca
Callahan			

—49

The motion of Mr. Moore to lay on the table the motion of Mr. Etheredge to postpone further consideration of the bill, H. 237, to the next legislative day, was adopted.

Yeas 50; Nays 16.

Yeas:

Mr. Speaker	Boston	Carr	Gilmore
Albea	Bowers	Cates	Glass
Avery	Brown (Tuscaloosa)	Cooper	Grouby
Bailes	Burns	Crawford	Hannah
Baker (Madison)	Callahan	Doggett	Harper
Barnett	Camp	Drake	Heflin
Bassett	Campbell (Tuscaloosa)	Edwards (Escambia)	Jones (Covington)
Bethea (B)	Cantrell	Edwards (Lowndes)	McCorquodale

Nabors	Pierce	Snell	Tuck
Nettles	Powell	Steagall	Turner (Limestone)
Owens	Reynolds	Stembridge	Turnham
Paulk	Scurlock	Sullivan	Vacca
Pennington	Slate		

—50

Nays:

Messrs.	Edington	Little	Perry
Bethea (M)	Etheredge	McDermott	Rast
Daniel	Goodwyn	Merrill	Rogers
Dominick	Ingram	Morrow	Salter
Downing			

—16

And said bill, H. 237, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 15.

Yeas:

Mr. Speaker	Camp	Grouby	Reynolds
Albea	Campbell (Tuscaloosa)	Hannah	Salter
Avery	Cantrell	Harper	Scurlock
Bailes	Carr	Jones (Covington)	Slate
Baker (Madison)	Cooper	McCorquodale	Snell
Barnett	Crawford	Nabors	Steagall
Bassett	Daniel	Nettles	Stembridge
Bethea (M)	Drake	Owens	Sullivan
Boston	Edwards (Escambia)	Paulk	Turner (Limestone)
Brown (Tuscaloosa)	Edwards (Lowndes)	Pennington	Turnham
Burns	Gilmore	Pierce	Vacca
Callahan	Glass	Powell	

—47

Nays:

Messrs.	Downing	Hogan	Merrill
Bethea (B)	Edington	Ingram	Morrow
Burnham	Etheredge	Little	Perry
Cornett	Goodwyn	McDermott	Rogers

—15

And the bill:

H. 253. To apply in counties having populations of not less than 300,000 nor more than 500,000; providing for assistants and deputies of the sheriff, regulating and providing for payment of their compensation.

Was taken up.

Mr. Rogers offered the following amendment to the bill, H. 253:

AMENDMENT TO H. B. 253

Amend H. B. 253 by deleting from line 15 and 16 of Section 2 thereof the words "one (1) chief clerk to receive seven thousand two hundred dollars (\$7,200) per annum" and insert in lieu thereof "one (1) chief clerk to receive seven thousand eight hundred (\$7,800) per annum".

And the amendment was adopted.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker	Doggett	Locke	Rast
Avery	Downing	McDermott	Reynolds
Bailes	Edington	Meeks	Rogers
Barnett	Edwards (Escambia)	Moore	Salter
Bassett	Fields	Morrow	Scurlock
Bevill	Gilmore	Nabors	Sessions
Blanton	Glass	Nettles	Slate
Cantrell	Goldthwaite	Owens	Teel
Casey	Grouby	Paulk	Tuck
Cook	Heflin	Pennington	Turner (Limestone)
Cooper	Hogan	Perry	Turnham
Cornett	Jones (Covington)	Pierce	Vacca
Daniel	Little	Powell	

—51

The presence of a quorum was questioned. The Speaker ruled a quorum present.

And said bill, H. 253, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Casey	Hogan	Powell
Bailes	Cooper	Ingram	Rast
Baker (Madison)	Cornett	Jones (Covington)	Reynolds
Barnett	Daniel	Little	Rogers
Bassett	Doggett	Locke	Scurlock
Bevill	Downing	McDermott	Sessions
Blanton	Edington	Meeks	Slate
Bolton	Edwards (Escambia)	Moore	Snell
Bowers	Etheredge	Morrow	Steagall
Brown (Tuscaloosa)	Fields	Nettles	Sullivan
Burns	Gilmore	Owens	Teel
Camp	Glass	Paulk	Tuck
Campbell (Jackson)	Goldthwaite	Pennington	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Perry	Turnham
Cantrell	Heflin	Pierce	Vacca

—60

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House without engrossment:

By Messrs. Tyson, Metcalf, Hawkins, Allen, Taylor, Hammond, Carter, Wilson, Lowe, McDow, Lolley and Robison (Montgomery):

S. 92. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Also:

By Messrs. Lowe, Metcalf, Brannan, Montgomery, McDow, Hawkins, Evans, Cooper, Lolley, Clark, Hammond, Carter, Bentley, James, Taylor, Reynolds, Allen, McCain, Robison (Pickens), Tyson, Givhan, Oden, Horton and Smith:

S. 113. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 92. Ways and Means.

S. 113. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House without engrossment:

By Mr. Brannan:

S. 68. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 68. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House without engrossment:

By Mr. Givhan:

S. 119. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

Also:

By Messrs. Nichols, Robison (Montgomery), Horton, Dumas, Brannan and Smith:

S. 78. To make an appropriation to the use of the White House Association.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 119. Ways and Means.

S. 78. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House without engrossment:

By Mr. Metcalf:

S. 133. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 133. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House without engrossment:

By Mr. Robison (Montgomery):

S. 77. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 77. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House without engrossment:

By Messrs. Lolley and Clark:

S. 72. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 72. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House without engrossment:

By Mr. McDow:

S. 58. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Also:

By Mr. McDow:

S. 59. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe

qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 58. Ways and Means.

S. 59. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Tyson:

S. 139. To amend Section 10 of Act #934 of the Regular Session of 1961 of the Legislature of Alabama, approved September 9, 1961, which said Act #934 relates to the provision for a program of tax equalization of real property in any county of the state having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, by providing that the TAX Assessor in any such county shall not be entitled to a 25¢ notice fee as provided for in Section 55 of Title 51 of the 1940 Code of Alabama as amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 139. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Dumas:

S. 53. To provide that any city or town in the state having a commission form of government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain

in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for Commissioners positions; to provide for the distribution of the powers of the municipality among the Commissioners; to provide for meetings of the Board of Commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by Commissioners; to prohibit Commissioners from holding other public offices; to prohibit any Commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any Commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the Board; to provide for the salaries of Commissioners and other disbursements of the municipality; to provide that meetings of the Board of Commissioners shall be open to the public; to provide a manner for changing the form of government of the municipality; to provide for the presentation of a petition calling for the resignation of a Commissioner, and to establish requirements for the signing thereof; to provide a fee for the Judge of Probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a Commissioner and for the election of his successor; and to state the method of ascertaining qualified voters in municipalities situated in more than one county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 53. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hammond:

S. 85. To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that the substance of the following local act will be introduced and efforts made to pass some at the next session of the Legislature of Alabama.

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of Solicitor of the DeKalb County Court, created by Act No. 418, H. 908, Sections 18 and 19, pages 441 and 442, Acts of the Legislature of Alabama 1961, is hereby abolished.

Section 2. Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of 1961, is hereby expressly repealed.

Section 3. The office of Deputy Solicitor, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and which was abolished by Act No. 418, H. 908, Section 18 of the Acts of the Legislature of 1961, is hereby recreated.

Section 4. The Deputy Solicitor of DeKalb County, Alabama, shall receive an annual salary of Forty-Eight Hundred Dollars (\$4800.00), Payable in equal monthly installments out of the County Treasury.

Section 5. That all laws or parts of laws in conflict with this act are hereby repealed.

Section 6. The provisions of this act is severable, and if any part or section thereof is declared unconstitutional or invalid, that fact shall not destroy the constitutionality of this act except as to that part or section.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ben M. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 19, 1963, December 26, 1963 and January 2, and January 9, all in the year 1964.

BEN M. SMITH.

Sworn to and subscribed before me this 29th day of July, 1964.

GLORIA R. FORTSON,
Notary Public.

Also:

By Mr. Hammond:

S. 100. Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The officers appointed to hold elections in DeKalb County shall each be entitled to ten dollars, whether voting machines be used or not, and in addition, the returning officers, shall be entitled to eight cents a mile in going to the courthouse and returning to the place of holding the election. The claims of election officers shall be paid as preferred claims, out of any moneys in the county treasury not otherwise appropriated, on proper proof of service rendered.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

This Bill to be introduced at the next Special Session, or the next regular session which ever one may come first.

To be Introduced by State Senator Kenneth Hammonds.

Jan. 28-Feb. 4-11-18

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ben M. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 28, February 4, February 11, and February 18, all in the year 1964.

BEN M. SMITH.

Sworn to and subscribed before me 25th day of February, 1964.

MAUDE C. DAVIDSON,
Notary Public.

Also:

By Mr. Hammond:

S. 101. To provide for compensation of jurors in DeKalb County.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
DeKALB COUNTY**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at the next special or regular session, and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide for compensation of jurors in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in DeKalb County are entitled to ten dollars for each day's services, and five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate which states therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and payable out of the county treasury.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF DeKALB**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ben M. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Times Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 5, May 12, May 19, and May 26, all in the year 1964.

BEN M. SMITH.

Sworn to and subscribed before me June 24, 1964.

GLORIA R. FORTSON,
Notary Public.

Also:

By Mr. Hammond:

S. 137. Relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 85. Local Legislation No. 1.

S. 100. Local Legislation No. 1.

S. 101. Local Legislation No. 1.

S. 137. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Allen:

S. 122. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Also:

By Mr. Allen:

S. 123. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 122. Local Legislation No. 1.

S. 123. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House without engrossment:

By Messrs. Givhan, Horton, Hawkins, Robison (Pickens), Nichols, Allen, Smith, Evans, Reynolds, Montgomery, Lolley, Clark, James, Carter, Cooper and Tyson:

S. 86. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 86. Agriculture.

ADJOURNMENT

On motion of Mr. Rogers, the House, in accordance with his motion heretofore adopted, adjourned until Wednesday, August 13, 1964, at eleven o'clock A.M.

NINTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 19, 1964

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend W. H. Swearingen, retired Baptist Pastor, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Burns	Crawford	Fite
Bassett	Callahan	Daniel	Gilmore
Bethea (M)	Camp	Davis	Glass
Bevill	Campbell (Jackson)	Doggett	Goldthwaite
Blanton	Campbell (Tuscaloosa)	Dominick	Goodwyn
Bolton	Cantrell	Downing	Grouby
Boston	Carr	Edwards (Escambia)	Hain
Bowers	Casey	Edwards (Lowndes)	Hankins
Branyon	Cates	Engel	Hannah
Brown (Tuscaloosa)	Cook	Etheredge	Harper
Burnham	Cornett	Fields	Hawkins

Heflin	Meeks	Posey	Stembridge
Hester	Merrill	Powell	Sullivan
Hogan	Moore	Pruitt	Teel
Holladay	Nabors	Rogers	Thomas
Jones (Covington)	NeSmith	Salter	Tuck
Jones (Monroe)	Nettles	Scurlock	Turner (Crenshaw)
Little	Owens	Sessions	Turner (Limestone)
Locke	Paulk	Slate	Turnham
McDermott	Pennington	Smith	Vacca
Mashburn	Perry	Steagall	Young
Meade	Pierce		

—86

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Rogers leave of absence was granted to Mr. Wood because of personal illness.

MOTION IN WRITING BY MR. CAMPBELL (JACKSON)

Having voted with the prevailing side by which the Judiciary Committee Amendment to H. B. 10 was laid upon the table I hereby move that the vote of the House to table the Judiciary Amendment to H. B. 10 be reconsidered.

On motion of Mr. Campbell (Jackson) consideration of the above and foregoing Motion in Writing was postponed until the tenth legislative day.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Eighth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the Eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Eighth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 34. Relating to counties having populations of not less than 15,-417 nor more than 16,303, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hankins the House concurred in and adopted the Senate amendment to the bill, H. 34, said Senate amendment being as follows:

AMENDMENT TO HOUSE BILL 34

Amend House Bill 34 by striking therefrom in the title, the following words and figures:

"15,417 nor more than 16,303,"

and inserting in lieu thereof:

"15,500 nor more than 16,300,"

Further amend to strike out the words and figures \$35.00 dollars and insert in lieu thereof the words and figures Fifty dollars (\$50.00)

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Cornett	Grouby	Nabors
Bassett	Crawford	Hankins	Nettles
Bethea (M)	Daniel	Hannah	Paulk
Bevill	Davis	Harper	Pierce
Boston	Downing	Heflin	Powell
Bowers	Edwards (Escambia)	Hester	Rogers
Burnham	Edwards (Lowndes)	Hogan	Saiter
Burns	Engel	Holladay	Scurlock
Camp	Etheredge	Jones (Covington)	Steagall
Campbell (Jackson)	Fields	Locke	Turner (Crenshaw)
Carr	Fite	Mashburn	Turnham
Casey	Gilmore	Meeks	Vacca
Cates	Glass	Merrill	Young
Cook	Goldthwaite		

—54

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 36. Mourning the passing of Dr. Samuel Beekman Alison of Carlowville, Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 29. Expressing sorrow upon the passing of Honorable Earl Tucker.

Also:

H. J. R. 30. Expressing regret upon the death of Mr. T. R. Nash, veteran County Commissioner of Shelby County.

Also:

H. J. R. 26. Naming the chapel at Jacksonville State College the "McCluer Chapel."

Also:

H. J. R. 27. Commending Governor Wallace for his efforts in behalf of education and assuring him of our support in his future efforts.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Robison (Montgomery):

S. J. R. 11. WHEREAS, Sidney Lanier High School has consistently turned out superior drill teams, which have won recognition in both State and National Drill Team Competitions, having placed first in many State Drill Team meetings, second in four National competitions, and first in the V. F. W.'s Junior Rifle Drill National Competition at Seattle, Washington, in 1963; and

WHEREAS, this remarkable record has been exceeded this year when the Lanier Drill Team again won honors, winning first place in the Alabama Drill Team meeting, sponsored by the Montgomery Jaycees, the Montgomery Chamber of Commerce, and the State V. F. W., jointly, at Garrett Coliseum on April 11; and

WHEREAS, the Lanier Drill Team will represent Alabama again this year in the V. F. W. National Drill Championships in Cleveland, Ohio, on August 25, and will be competing to retain their championship; and

WHEREAS, the Lanier Color Guard will also compete for the National V. F. W. Color Guard Championship in Cleveland, Ohio, on August 24, an event in which more than twenty-five other color guards are participating; and

WHEREAS, the Lanier Drill Team has been further honored this year by accepting an invitation from the New York State V. F. W. to perform in the New York State Pavilion and at the United States Pavilion at the World's Fair on August 21; and

WHEREAS, these awards have been achieved through consistent devotion to this activity and through countless and tiring practice sessions by the team membership aided through the determined efforts of Army Major Wade Hampton, Professor of Military Science at Lanier, and Staff Sergeant Kenneth E. Parsons, the Drill Team's coach; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature commends the members of the Sidney Lanier High School Drill Team and Color Guard for their accomplishments in achieving the precision and perfection which has characterized their marches and close formation drills. The Legislature especially commends Cadet Colonel Lee Suydam and Cadet Sergeant First Class Robin Rogers, the team commander, Major Hampton, and Staff Sergeant Parsons for the Lanier Team's past performances, and extends best wishes to the team in their performances at the World's

Fair and in the V. F. W. competition. The entire State of Alabama hopes that they may achieve victory in Cleveland and once again win the National Championship for Alabama.

BE IT FURTHER RESOLVED That the Legislature further commends the V. F. W. for sponsoring these National Competitions which provide opportunities to Alabama youths for educational trips and wholesome recreation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Goldthwaite the rules were suspended and the House concurred in and adopted the S. J. R. 11 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 38. Commending the Robert E. Lee High School Band and their director, Mr. Johnny Long, on the excellence of their outstanding record.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 28. Commending Miss Shirley Crawford of Marion, Alabama, and John Hamilton Jordan of Montgomery, Alabama for the scholastic honors received by them.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 33. Expressing the appreciation of the Legislature to Dr. Ralph Draughon for his most successful administration as President of Auburn University and for his many contributions to all levels of education in Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Tyson:

S. J. R. 10. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING; that

WHEREAS, Judges of the Miss Alabama contest have seen fit to select Miss Vicki Powers of Mobile as the most outstanding example of the beauty and talent abounding in this state; and

WHEREAS, the participation of Miss Powers in the Miss America contest in Atlantic City will bring credit to this entire state; and

WHEREAS, it is felt that Miss Powers will be successful in her endeavors to achieve the title of Miss America, following in the footsteps of the last Mobile girl to be selected as Miss Alabama; and

WHEREAS, this body, representative of all the people of this great state, is desirous of lending its support and encouragement to Miss Alabama;

NOW THEREFORE BE IT RESOLVED that the Alabama Legislature does hereby congratulate Miss Vicki Powers upon her selection as Miss Alabama; and

BE IT FURTHER RESOLVED that the Legislature go on record as recommending Miss Powers to the American people as the finest example of this nation's womanhood; and

BE IT FURTHER RESOLVED that Miss Powers is hereby invited to appear at her earliest convenience to accept the homage and congratulations of this body.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers the rules were suspended and the House concurred in and adopted the S. J. R. 10 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 70. To amend Act No. 556, of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, page 1376 et seq.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Etheredge the House concurred in and adopted the Senate amendment to the bill, H. 70, said Senate amendment being as follows:

AMENDMENT OF SECTION 4 OF HOUSE BILL NO. 70

Amend Section 4 of House Bill No. 70 as follows:

1. Insert between the words "Section 16 (entitled Loans to Employee Members)" and the words: Section 19 (entitled Liabilities of Employee

Members to Fund)" where the same appear together in said Section 4 of the following: "Section 17 (Severance Nominee)".

2. Insert in the third sentence from the last of Section 4 immediately after the words, "Retirement and Relief System" where such words appear together in said sentence and immediately prior to the words, "shall, anything contained in said Act" where such words appear together in said sentence the following: "subject to return."

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Cornett	Heflin	Paulk
Bassett	Crawford	Hester	Pierce
Bethea (M)	Daniel	Hogan	Powell
Bevill	Davis	Holladay	Pruitt
Boston	Downing	Jones (Covington)	Rogers
Bowers	Edwards (Escambia)	Locke	Salter
Burnham	Etheredge	McDermott	Scurlock
Burns	Fite	Mashburn	Steagall
Camp	Gilmore	Meade	Turner (Crenshaw)
Campbell (Jackson)	Glass	Meeks	Turner (Limestone)
Cantrell	Grouby	Merrill	Turnham
Carr	Hain	Nabors	Vacca
Cates	Hannah	Nettles	Young
Cook	Harper		

—54

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 48. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

Also:

H. 32. Regulating the compensation of election officers in counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census.

Also:

H. 46. To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to

provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

Also:

H. 33. To apply only in counties having populations of not less than 15,500 nor more than 16,300, relative to closing the office of officials in the courthouse.

Also:

H. 38. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Also:

H. 40. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

Also:

H. 42. To authorize the governing body of any county having a population of 500,000 or more according to the last or any subsequent federal census to compensate any person for any injury to him or damage to his property by a motor vehicle operated by an employee of the county in the course of his employment where the governing body finds that the negligence of said employee was the proximate cause of such injury or damage, that the person who was injured or whose property was damaged was not guilty of any negligence proximately causing said injury or damage and that the circumstances of the injury or damage were such as to make compensation just and proper; and authorizing the county governing body to provide liability insurance for such purpose.

Also:

H. 41. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 50. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Also:

H. 51. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

Also:

H. 53. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial Federal Census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Also:

H. 57. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regulate the payment of the salaries of said judge:

Also:

H. 58. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Also:

H. 59. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 60. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 94. Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 76. To provide that the governing body of any city in the state having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Etheredge the House concurred in and adopted the Senate amendment to the bill, H. 76, said Senate amendment being as follows:

AMENDMENT OF SECTION 1 OF HOUSE BILL NO. 76

Amend Section 1 of House Bill No. 76 as follows: Delete the last sentence of said Section 1 and substitute in lieu thereof the following: "The total amount of all such money granted by any such governing body shall not, during any one fiscal year of such city, exceed the sum of \$11,000."

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Cook	Hain	Paulk
Bassett	Cornett	Hannah	Pierce
Bethea (M)	Crawford	Harper	Powell
Bevill	Daniel	Heflin	Pruitt
Blanton	Davis	Hogan	Rogers
Boston	Downing	Holladay	Salter
Bowers	Edwards (Escambia)	Jones (Covington)	Scurlock
Burnham	Engel	Locke	Steagall
Burns	Etheredge	McDermott	Turner (Crenshaw)
Camp	Fields	Mashburn	Turner (Limestone)
Campbell (Jackson)	Gilmore	Meeks	Turnham
Carr	Glass	Merrill	Vacca
Cates	Goldthwaite	Nabors	Young
Collins	Grouby	Nettles	

—55

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 49. To provide for and fix the sum of three hundred dollars per month as an allowance for expenses for the Mayor or other Chief Executive Officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent Federal census for which he shall not be required to file an accounting.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Etheredge the House concurred in and adopted the Senate substitute for the bill, H. 49, said Senate substitute being as follows:

Substitute for House Bill No. 49.

A BILL
TO BE ENTITLED
AN ACT

TO PROVIDE FOR AND FIX THE SUM OF THREE HUNDRED DOLLARS PER MONTH AS AN ALLOWANCE FOR EXPENSES FOR THE MAYOR OR OTHER CHIEF EXECUTIVE OFFICER OF ANY CITY HAVING A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS, FOR WHICH HE SHALL NOT BE REQUIRED TO FILE AN ACCOUNTING; AND TO PROVIDE THAT SUCH MAYOR OR CHIEF EXECUTIVE OFFICER SHALL ATTEND AS THE OFFICIAL REPRESENTATIVE OF THE CITY SUCH MEETINGS AND CONFERENCES IN SAID CITY TO WHICH HE IS INVITED AND WHICH WILL IN THE OPINION OF SUCH MAYOR OR CHIEF EXECUTIVE OFFICER RESULT IN THE ADVERTISEMENT OF SUCH CITY OR ANY FUNCTION OR UNDERTAKING OF SUCH CITY.

Be It Enacted by the Legislature of Alabama:

Section 1. The mayor or other chief executive officer of any city having a population of three hundred thousand or more inhabitants according to the last or any subsequent federal census shall be paid by such city, in addition to the compensation provided by law for such office, the additional sum of Three Hundred Dollars per month, payable in advance on the first day of each month as an allowance for expenses incident to the office of mayor, for which he shall not be required to file an accounting.

Section 2. The mayor or other chief executive officer of any such city shall attend as the official representative of the city such meetings and conferences in said city to which he is invited and which will in the opinion of such mayor or chief executive officer result in the advertisement of such city or any function or undertaking of such city. Such mayor or chief executive officer shall be the sole judge of the conferences or meetings he should attend.

Section 3. The provisions of this act shall not be construed so as to prevent any such mayor or other chief executive officer from being reimbursed for actual expenses incurred by him on or in connection with a trip on city business beyond the corporate limits of such city.

Section 4. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Burnham	Cornett	Engel
Bassett	Burns	Crawford	Etheredge
Bethea (M)	Camp	Daniel	Fields
Bevill	Campbell (Jackson)	Davis	Gilmore
Blanton	Carr	Downing	Glass
Boston	Casey	Edwards (Escambia)	Goldthwaite
Bowers	Cook	Edwards (Lowndes)	Grouby

Hain	Jones (Covington)	Nabors	Salter
Hannah	Locke	Nettles	Scurlock
Harper	McDermott	Paulk	Steagall
Heflin	Mashburn	Pierce	Turner (Crenshaw)
Hester	Meade	Powell	Turnham
Hogan	Meeks	Pruitt	Vacca
Holladay	Merrill	Rogers	Young

—56

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 99. To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

Also:

H. 101. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

H. 102. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Also:

H. 22. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697) entitled 'An Act relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

Also:

H. 20. Relating to the Sheriff of Dale County, providing an allowance for empaneling Grand Juries.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 98. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Also:

H. 146. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000.

Also:

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Also:

H. 149. To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 151. To amend Section 2, of Act No. 258, H. 506, Regular Session 1951, an Act providing a deputy for the Tax Collector of Pike County.

Also:

H. 150. To amend Section 2, of Act No. 259, H. 507, Regular Session 1951, an Act providing a deputy for the Tax Assessor of Pike County.

Also:

H. 152. To amend Section 1 of Act No. 332, H. 602, Regular Session 1961, an Act providing for a Clerk of the Juvenile Court of Pike County (Acts 1961, v. 1, P. 358).

Also:

H. 153. To amend Section 2 of Act No. 148, S. 185, Regular Session 1955, an Act providing for a Deputy Circuit Clerk for Pike County.

Also:

H. 157. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

Also:

H. 158. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one county which has a population of not less than sixty-five thousand (65,000) nor more than ninety-five thousand (95,000), according to the most recent Federal Decennial Census.

Also:

H. 154. To amend Act No. 218, S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Also:

H. 105. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 49,500 nor more than 50,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 155. Relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places.

Also:

H. 104. Relating to Lee County; fixing the pay of jurors, grand and petit.

Also:

H. 103. Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

Also:

H. 43. To amend Section 3 of Act No. 695 of the 1951 Legislature.

Also:

H. 44. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Also:

H. 119. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

Also:

H. 120. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

Also:

H. 122. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Also:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Also:

H. 125. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of members of the courts of county commissioners, county commissions, or like county governing bodies of such counties.

Also:

H. 126. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population

of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent Federal census.

Also:

H. 127. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act #315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 128. To amend Section 2, Act No. 218, H. B. 404, Regular Session 1963, an act relating to counties having populations of not less than 300,000 nor more than 500,000.

Also:

H. 129. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act N. 345, S. 291, 1955 Acts Vol. II, p. 783).

Also:

H. 130. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama, 1955, (Vol. I, p. 515), approved August 3, 1955, entitled "An Act to provide further for the compensation of the Circuit Solicitor in circuits composed of one County and having not less than four nor more than nine Circuit Judges," as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. I, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940.

Also:

H. 131. To amend Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an Act relating to the office of License Commissioner in counties having populations of not less than 300,000 or more than 500,000.

Also:

H. 47. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to

provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Also:

H. 52. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 54. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

H. 55. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Also:

H. 56. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

Also:

H. 61. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

Also:

H. 62. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 63. To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Also:

H. 64. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any sub-

sequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 65. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

Also:

H. 66. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Also:

H. 67. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

H. 68. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Also:

H. 69. To amend Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, Acts of Alabama 1951, page 1579, et seq., as heretofore amended.

Also:

H. 71. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Also:

H. 73. To apply in and only in each City in this State having a population of 300,000 or more, according to the last or any subsequent decennial Federal Census; to provide for the creation of the Office of City Magistrate and the appointment of City Magistrates: to define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest.

Also:

H. 74. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Also:

H. 75. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee or one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Also:

H. 77. To authorize the County Board of Education of any county having a population of 500,000 or more according to the last or any succeeding federal decennial census to name school buildings in honor of living persons.

Also:

H. 147. To provide for the payment of an expense allowance for certain members of the board of revenue and control, court of county commissioners, or like governing body in every county having a population of not less than 57,000 nor more than 61,500 for expenses incurred in the performance of their duties.

Also:

H. 5. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House without engrossment:

By Mr. Dumas:

S. 55. Relating to state revenue; further prescribing deduction of certain charitable contributions or gifts in computing individual and corporate state income tax liability.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 55. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 6. Mourning the death of Robert Horton Rutland, Director of Technical Staff, State Building Commission.

Also:

S. J. R. 7. Congratulating Miss Linda Vaughn on being selected "Miss Sun-Fun U. S. A. 1964."

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 5. Relating to the Municipality of Decatur, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the City of Decatur, Alabama.

Also:

S. 8. To regulate the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000.

Also:

S. 9. Relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of a clerk for the board of registrars whose compensation shall be paid by the county.

Also:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right,

power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Also:

S. 15. Relating to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Also:

S. 26. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

Also:

S. 61. To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

Also:

S. 64. To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

Also:

S. 65. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body of all counties having populations of not less than 24,525 nor more than 24,675.

Also:

S. 66. For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

Also:

S. 69. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

Also:

S. 70. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

Also:

S. 89. Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

Also:

S. 90. Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

Also:

S. 91. Relating to Greene County; providing for the relief of P. T. Martin.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Tyson:

S. J. R. 12. WHEREAS the South Brookley Little League team participating in the twenty-three team area tournament held at Bay Minette, defeated South Baldwin 15-0, Fairhope 21-0, and Atmore 4-1. In the win over South Baldwin, Joel Harp pitched a perfect no hit, no run game, allowing only one hit ball in fair territory; and

WHEREAS in district 5 play at Duval Park, with four participating teams, South Brookley defeated the American League All Stars 1-0, and the National League All Stars 4-3; and

WHEREAS in the state tournament, sectional play at Trussville, with five teams entered in the state championship, South Brookley defeated Gadsden Southern 4-3; and Florence 6-0 to become state champions; and

WHEREAS in the divisional tournament consisting of the state champion teams of Alabama, Arkansas, Louisiana, and Mississippi, the Mobile entry successfully upheld their winning record by defeating the Biloxi, Mississippi All Stars 8-1, as Joel Harp won his fourth consecutive victory and second no-hitter in tournament play. The tournament championship game which was played against Springdale, Arkansas was won by Larry Reynolds 5-4 as he also notched his fourth consecutive victory; and

WHEREAS the South Brookley Little League team will compete at Norfolk, Virginia in a two game series in the southeast regional tournament, after which they will enter national championship competition at Williamsport, Pennsylvania; and

WHEREAS this outstanding team record is the result of the combined efforts of individual members Butch Arzonico, Buddy Bullock, Freddy Clausen, Rickey Collier, Tim Deese, David Gable, Joel Harp, George Hataway, Jerry Jones, Larry May, Mike McCarthy, Max McGill, Barry Nix, Larry Reynolds, Jimmy Sheffield, Ray Tarver, Joe Touart, and of their manager, Bill Giessleman, Coach Charlie Weaver, and South Brookley Little League president, Raymond Wilson; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends its heartiest congratulations to the South Brookley Little League on its excellent record and wishes for it every success in representing Alabama, and bringing back to this state the National Little League Championship.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers the rules were suspended and the House concurred in and adopted the S. J. R. 12 set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 267. To amend further Section 8 of Act No. 201, Regular Session 1955, relating to the assignment and placement of pupils in the public schools.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 277. To amend Section 103 of Title 13, 1940 Code of Alabama, as amended, relating to the salary of Judges of the Court of Appeals.

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 270. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census.

H. 271. Providing further for the compensation of members of the board of registrars in counties having not less than 48,500 nor more than 49,500 population according to the last or any subsequent federal decennial census.

H. 274. To apply in counties having populations of not less than 19,500 nor more than 20,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like governing body of the county.

H. 275. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

H. 283. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

H. 284. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

S. 122. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

S. 123. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 276. To revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963, (Ala. Acts, 1963, page 963, et seq.)

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 269. Relating to counties with cities having populations of not less than 200,000 nor more than 300,000; regulating further the compensation of the judge of certain inferior civil courts.

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

H. 279. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 280. (with amendment) Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer; "to provide further for the compensation of the chief clerk in the office of the sheriff.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 281. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

H. 282. To provide for the levy and collection by the governing body of Mobile County, if and when approved by a majority of the qualified electors of Mobile County participating in a referendum election, of an annual license tax and registration fee in the amount of \$10.00 upon every self-propelled motor vehicle, as defined in Section 692, Title 51, Code of Alabama of 1940, as amended, owned by any individual who is a resident of Mobile County and upon every self-propelled motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County; for the exemption of such motor vehicles owned and used by the State and Counties and municipalities of the State; for the proration of and for the time and manner for the payment of the license tax and registration fee; for providing for the enforcement of the Act and for penalties and fines for violation thereof; for authorizing the governing body of Mobile County to adopt and promulgate rules and regulations and to pay all expenses and costs necessary for or incidental to the collection and enforcement of the licence tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the entire proceeds of said tax and fee shall be paid to and used solely for public hospital purposes by the Mobile County Hospital Board; to provide for the method and time of holding such referendum election or elections.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 11. (with substitute) To authorize boards of registrars to hold such meetings, obtain such clerical help and supplies, receive such legal assistance, and take such actions, all subject to the approval of the State Sovereignty Commission, as may be necessary to prevent the registration, under court order or otherwise, of persons not qualified to vote under the laws of the State of Alabama, or by procedures contrary to the laws of the State of Alabama, and for related purposes.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 210. To amend Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to authorize any relative of a child to appoint by his last will and testament the mother or father as guardian; and giving the amendment retroactive effect.

S. 72. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

S. 77. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 58. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

S. 59. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

S. 53. To provide that any city or town in the state having a commission form of government may come within and be governed by the provisions of this act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for commissioners positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the board of commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by commissioners; to prohibit commissioners from holding other public offices; to prohibit any commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the board; to provide for the salaries of commissioners and other disburse-

ments of the municipality; to provide that meetings of the board of commissioners shall be open to the public; to provide a manner for changing the form of government of the municipality; to provide for the presentation of a petition calling for the resignation of a commissioner, and to establish requirements for the signing thereof; to provide a fee for the judge of probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a commissioner and for the election of his successor; and to state the method for ascertaining qualified voters in municipalities situated in more than one county.

S. 68. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

S. 78. To make an appropriation to the use of the White House Association.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 92. (with amendment). To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 113. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

S. 133. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Mr. Salter, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 86. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Mr. Owens, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 85. To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

S. 100. Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

S. 101. To provide for compensation of jurors in DeKalb County.

S. 137. Relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties.

INTRODUCTION OF BILLS

Upon a call of counties bill were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Goldthwaite, Powell, Sullivan, Paulk, Grouby, Pierce, Little, Bassett, Edwards (Escambia), Salter, Carr, Snell, Boston, Campbell (Tuscaloosa), Barnett, Cates, Gilmore, Vacca, Sessions, Locke, Nettles, McCorquodale, Thomas, Camp, Edwards (Lowndes), Bowers and Bethea (M):

H. 285. To use the final peaceful and lawful means available to the people of the sovereign State of Alabama, to void unconstitutional legislation passed by members of the U. S. Congress, to clarify the law within the State of Alabama which has been confused by unconstitutional and illegal actions of members of the United States Supreme Court, the federal Executive Branch and finally the U. S. Congress itself, to correct distortions of the basic Law of the Land, to eliminate arrogations of power by federal agencies which power was not "delegated by the Constitution nor prohibited by it to the States", to revoke usurpations by the Federal Government of power retained under the Constitution of the United States by the State of Alabama and the people thereof, to void within the State of Alabama the Public Law No. 88-352, so-called "The Civil Rights Act of 1964."

Insurance.

By Mr. Locke:

H. 286. To amend Section 553, Title 52, of the Code of Alabama, 1940, regarding the physical examination of school children.

Judiciary.

RESOLUTION

The following resolution was introduced:

By Messrs. Callahan, Brown (Tuscaloosa), Campbell (Tuscaloosa) and Locke:

H. J. R. 39. WHEREAS, Robert E. Roberts of Tuscaloosa, Alabama has distinguished himself both as a student at the University of Alabama and as an outstanding youth leader in Tuscaloosa County; and

WHEREAS, while a student at Holt High School, young Roberts demonstrated his leadership ability by being elected President of the Student Body, President of the Holt High School Band for two years, and selected for membership in the National Honor Society, Beta Club and Hi-Y; and

WHEREAS, Mr. Roberts further distinguished himself by being selected as the Y's Men's Club Youth of the Year, Winner of the Jere Hardy award for outstanding statesmanship in the House at the 1960 Youth Legislature, Winner of the Elks Club State Youth Leader Award, and by his selection to the All State basketball team; and

WHEREAS, Mr. Roberts has so ably represented the State of Alabama and brought credit to the University of Alabama while traveling throughout the United States as a member of the University's nationally famous Debate Squad; and

WHEREAS, Mr. Roberts was a member of Alabama's Debate Team for four years while serving as Manager of Debate and winning forty awards in debate and was selected as the Number Two Debater in the nation at the West Point Tournament in 1963 and Number One Debater in the nation in 1964, and was elected National Student President of Delta Sigma Rho-Tau Kappa Alpha, national debate honor society; and

WHEREAS, This outstanding young man has brought credit to his State and to the University of Alabama by being selected to membership in Omicron Delta Kappa, national leadership honorary; Phi Alpha Theta, national history honorary; Pi Sigma Alpha, national political science honorary; Arnold Air Society, National Air Force R. O. T. C. honorary; and Jasons, Senior Men's Honor Society; and by this selection to Who's Who in American Colleges and Universities and by his selection as Winner of the Algernon Sidney Sullivan award, 1964, for outstanding contributions to the University of Alabama; and

WHEREAS, this young Alabamian has exemplified all that is good and courageous in young southern manhood by his accomplishments and endeavors in high school and at the University of Alabama; and

WHEREAS, young Roberts was graduated from the Capstone with "Honors" and was commissioned as a second lieutenant in the United States Air Force with a distinguished military graduate listing; and

WHEREAS, Mr. Roberts has been accepted as a student in the Law School of George Washington University in Washington, D. C. where he will be an instructor in speech and assist with the debate program.

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that this Legislature does congratulate young Robert Roberts upon his accomplishments and does commend him for so ably representing the State of Alabama and bringing national recognition to himself and the University of Alabama and does wish for him great success in his future life.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Robert Roberts and that a copy be sent to Holt High School and that a copy be sent to the Alabama Debate Squad.

On motion of Mr. Callahan the rules were suspended and H. J. R. 39 was adopted.

BILLS ON THIRD READING

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

H. 260. To amend Act No. 250 of the regular session of the 1959 Legislature to provide for the administering of oaths and issuing of warrants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

H. 268. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

S. 73. To apply in all counties having populations of not less than 30,550 nor more than 31,000, regulating the compensation of members of the county governing body.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

S. 120. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves,

stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

S. 121. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

S. 125. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

S. 127. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

H. 118, To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

Was taken up.

Mr. Engel offered the following amendment to the bill H. 118:

AMENDMENT TO H. B. 118

Amend Section 1 of H. B. 118 by striking the words "Fifty-Four Hundred dollars", wherever they appear, and inserting in lieu thereof the words "Fifty-Two Hundred dollars".

And the amendment was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And said bill, H. 118, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

S. 128. (with amendment). To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amendment to S. B. 128:

In Section 1, strike out the figures \$12 and insert \$10

And the amendment was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And said bill, S. 128, as thus amended, was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

S. 129. To apply in all counties having populations of not less than 51,000 nor more than 56,000, regulating the compensation of election officers.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And the bill:

H. 202. (with substitute). To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the last preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law, with the exception of those sessions provided by Section 27(1), Title 17, 1940 Code of Alabama; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 202

A BILL
TO BE ENTITLED
AN ACT

To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. That in all Counties in this State which now have or may hereafter have a population of not less than 150,000 nor more than 300,000 according to the last preceding or any subsequent federal decennial census, the Board of Registrars shall meet on the second Monday in January in each year for a period of twenty (20) working days for the purpose of registering voters; and the Board shall meet again on the first Monday in April for a period of twenty (20) working days for the purpose of registering voters; the Board shall meet again on the first Monday in July for a period of twenty (20) working days for the purpose of registering voters, and the Board shall meet again on the first Monday in October for a period of twenty (20) working days for the purpose of registering voters; said twenty (20) working days shall not include Saturdays, Sundays, legal holidays and the time or times for purging the registration or poll list during such daily sessions here provided for the purpose of registering voters. It shall not be necessary that the twenty (20) working days here provided be consecutive. All such meetings shall be held at the courthouse of said counties or in the precinct or ward where the applicant resides, except that the Board shall not meet more than a total of twenty (20) days at the county courthouse during any one calendar year.

Section 2. In addition to all other meeting times now provided by law, the Board of Registrars in all counties having a population of not less than 150,000 nor more than 300,000 according to the last preceding or any subsequent federal decennial census shall meet for an additional thirty (30) days each year. The Board of Registrars shall not receive applications for the purpose of registration during these thirty days, but shall devote their time to the processing of voter applications and such other clerical work as may be necessary. These thirty days shall not include the days now provided by law for purging the registration or poll list. These dates for these additional thirty clerical days shall be in the discretion of the Board of Registrars.

Section 3. The members of the Board of Registrars shall receive the same compensation and in the same manner as other Boards of Registrars in the state are paid for each working day herein provided for.

Section 4. The County Board of Revenue, Court of County Commissioners or like governing bodies in all such counties may expend funds from the general funds of the county to provide office space, telephone service, equipment, supplies, travel expenses while visiting precincts, and clerical assistance in addition to such assistance already provided for by law for the Boards of Registrars of such counties.

Section 5. Any voter who may become qualified after a qualified voting list has been made and published as now provided for by law during even numbered years may be added to the list of qualified voters by a supplementary list or lists without making a complete new list of qualified voters.

Section 6. The Board of Registrars of every county or counties of the State of Alabama affected hereby shall be in session at the court house, or one of the court houses, of their county on the first and third Mondays in each month for the purpose of registering all persons in the armed forces of the United States, Merchant Marine, Red Cross, and other affiliated organizations, stationed or serving outside the county of their residence.

Section 7. In all Counties in this State which have or may hereafter have a population of not less than 150,000 nor more than 300,000 according to the last preceding or any subsequent federal decennial census, all registrations made by the Board of Registrars between August 1, 1961, and the date of the passage of this act are expressly validated, whether or not the application was made or the certificate of registration was granted on a day when such Board could legally meet; it being the intention of the Legislature to validate the registration of all persons who have been granted registration certificates in such counties from August 1, 1961, to the date of the passage of this act.

Section 8. Should any part of this act be declared invalid for any reason, then such invalidity shall not affect the validity of the remainder of this act.

Section 9. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Grenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

And said bill, H. 202, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Bassett	Cook	Hannah	Paulk
Bethea (M)	Cornett	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Downing	Hogan	Powell
Bowers	Edwards (Escambia)	Holladay	Rogers
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Salter
Burnham	Engel	Locke	Scurlock
Burns	Etheredge	McDermott	Steagall
Callahan	Fields	Mashburn	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Vacca
Cantrell	Goldthwaite	Nabors	Young
Carr	Grouby	NeSmith	

—63

UNANIMOUS CONSENTS GRANTED

Mr. Davis requested unanimous consent to have the Journal show that had he been present he would have voted "yea" on the passage of the bills, H. 88, H. 89 and H. 86, and it was so granted.

Mr. Davis, also, requested unanimous consent that his name be added as a co-author of the bills, H. 88, H. 89 and H. 86, and it was so granted.

Mr. Hogan requested unanimous consent to postpone consideration of the bill, H. 259, until the eleventh legislative day, and it was so granted.

RECESS

On motion of Mr. Fite the House recessed until 4:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 4:00 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House without engrossment:

By Mr. Tyson:

S. 141. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

Also:

By Mr. Givhan:

S. 88. To amend further Code of Alabama 1940, Title 37, Section 440,

in relation to the compensation of the mayor of any city having a population of not less than 28,000 nor more than 29,000.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 141. Ways and Means.

S. 88. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 128. To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 39. Congratulating Robert E. Roberts of Tuscaloosa, Alabama on his distinguished scholastic record and wishing him well in his future career.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 26. Relative to designating the new chapel at Jacksonville State College, "McCluer Chapel".

Also:

H. J. R. 27. Relative to commending Governor George Wallace for his efforts in behalf of education.

Also:

H. J. R. 28. Relative to congratulating Miss Shirley Crawford of Marion and John Hamilton Jordan of Montgomery upon their achievement as National Merit Scholars for the 1964 High School scholastic year.

Also:

H. J. R. 29. Relative to expressing regret upon the death of Mr. Earl Lee Tucker.

Also:

H. J. R. 30. Relative to expressing regret upon the death of Mr. T. R. Nash.

Also:

H. J. R. 33. Relative to expressing deep appreciation to Dr. Ralph Brown Draughon for his most successful administration as President of Auburn University.

Also:

H. J. R. 36. Relative to expressing regret upon the death of Dr. Samuel Beekman Alison.

Also:

H. J. R. 38. Relative to commending the Robert E. Lee High School Band.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 8:30 A. M. On August 19, 1964

H. 108.

H. 160.

H. 109.

H. 114.

Delivered to the Governor at 4:35 P. M. On August 19, 1964

H. J. R. 26.

H. J. R. 27.

H. J. R. 28.

H. J. R. 29.

H. J. R. 30.

H. J. R. 33.

H. J. R. 36.

H. J. R. 38.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Goodwyn, the House, in accordance with the motion of Mr. Rogers heretofore adopted, adjourned until Friday, August 21, 1964, at ten o'clock A. M.

TENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 20, 1964

The House did not meet today.

ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Friday, August 21, 1964

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend George Y. Williams, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Casey	Hain	Paulk
Albea	Cates	Hannah	Perry
Avery	Collins	Harper	Pierce
Bailes	Cook	Hawkins	Posey
Baker (DeKalb)	Cooper	Heflin	Powell
Barnett	Cornett	Hester	Pruitt
Bassett	Crawford	Hogan	Rast
Bethea (B)	Daniel	Holladay	Rogers
Bethea (M)	Davis	Ingram	Salter
Bevill	Doggett	Jones (Covington)	Scurlock
Blanton	Dominick	Jones (Monroe)	Sessions
Bolton	Drake	Little	Slate
Boston	Edington	Locke	Smith
Bowers	Edwards (Escambia)	McCorquodale	Snell
Branyon	Edwards (Lowndes)	McDermott	Steagall
Brown (Jefferson)	Engel	Mashburn	Stembridge
Brown (Tuscaloosa)	Etheredge	Meade	Sullivan
Burnham	Faulk	Meeks	Teel
Burns	Fields	Merrill	Thomas
Callahan	Fite	Moore	Tuck
Camp	Gilmore	Morrow	Turner (Crenshaw)
Campbell (Jackson)	Glass	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	NeSmith	Turnham
Cantrell	Goodwyn	Nettles	Vacca
Carr	Grouby	Owens	Young

—100

A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Rogers leave of absence was granted to Mr. Wood because of personal illness.

On motion of Mr. McDermott leave of absence was granted to Mr. Downing because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the ninth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 113. To amend Act No. 92 adopted at the Second Special Session of 1963 of the Legislature of Alabama to provide for the collection and distribution of the proceeds of the tax levied by the said act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite the House concurred in and adopted the Senate amendment to the bill, H. 112, said Senate amendment being as follows:

AMENDMENT TO HOUSE BILL 112

House Bill 112 is hereby amended as follows:

In section 1. Strike out clause (b) and renumber clauses (c) and (d) as clauses (b) and (c) respectively.

Strike out section 7 and insert in lieu thereof the following:

"The corporation shall have no power either under this Act or under the provisions of the 1963 Act to issue or sell any refunding bonds in order to refund bonds issued under either this Act or the 1963 Act."

Strike out the last sentence of section 8.

AMENDMENT TO HOUSE BILL 112 AS AMENDED

House Bill 112 is hereby amended as follows:

In section 8 strike out the words "agents and" where such words appear together in the first sentence and add at the end of said section 8 the following:

"No proceeds of bonds or other public funds shall be used or expended to pay any fee, expense or compensation to any fiscal or other agent for services in or about selling or procuring bidders for any bonds issued under this Act or under the 1963 Act. All guaranteed bids and other devices for paying fees or compensation to any person in connection with any sale of bonds under this Act or under the 1963 Act are hereby prohibited."

AMENDMENT TO HOUSE BILL 112 AS AMENDED

House Bill 112 is hereby amended as follows:

At the end of section 2 add the following: " ; provided, however, that no such redemption price shall exceed par plus accrued interest to the date of redemption plus a redemption premium not exceeding one year's interest at the coupon rate of the bond or bonds redeemed; and provided further, that the average annual net interest cost to the corporation for the bonds being sold at any one sale, computed from the date of those at the time being sold to their respective maturities, shall not exceed five (5) per cent per annum."

AMENDMENT TO HOUSE BILL 112 AS AMENDED

In Section 8, on line 13, after the words and figures "the 1963 act." insert the following:

"Notwithstanding the foregoing sentence, the corporation may use the proceeds of the bonds to finance capital improvements at trade schools in existence on the effective date of the 1963 act."

Yeas 73; Nays 5.

Yeas:

Mr. Speaker	Cook	Harper	Paulk
Albea	Cooper	Hawkins	Posey
Baker (DeKalb)	Crawford	Heflin	Powell
Barnett	Daniel	Hester	Pruitt
Bassett	Doggett	Hogan	Rast
Blanton	Drake	Ingram	Rogers
Bolton	Edington	Jones (Covington)	Salter
Boston	Edwards (Escambia)	Jones (Monroe)	Scurlock
Bowers	Edwards (Lowndes)	Little	Slate
Brown (Jefferson)	Engel	McCorquodale	Snell
Brown (Tuscaloosa)	Fite	McDermott	Steagall
Burnham	Gilmore	Mashburn	Sullivan
Callahan	Glass	Meade	Thomas
Camp	Goldthwaite	Meeks	Tuck
Cantrell	Goodwyn	Merrill	Turner (Crenshaw)
Carr	Grouby	Moore	Turnham
Casey	Hain	Nabors	Vacca
Cates	Hannah	Nettles	Young
Collins			

—73

Nays:

Messrs.	Bethea (M)	Morrow	Perry
Bailes	Campbell (Tuscaloosa)		

—5

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Gilchrist:

S. 6. Proposing an amendment to the Constitution of Alabama requiring approval of the qualified electors of the state prior to the issuance and sale of revenue bonds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 6, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 73. To apply in all counties having populations of not less than 30,550 nor more than 31,000, regulating the compensation of members of the county governing body.

Also:

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

Also:

S. 120. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 121. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 125. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Also:

S. 127. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Also:

S. 128. To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

Also:

S. 129. To apply in all counties having populations of not less than 51,000 nor more than 56,000, regulating the compensation of election officers.

Also:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Also:

S. J. R. 10. Congratulating Miss Vicki Powers of Mobile upon being selected Miss Alabama.

Also:

S. J. R. 11. Commending the Sidney Lanier High School Drill Team and Color Guard.

Also:

S. J. R. 12. Congratulating the South Brookley Little League Team

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 25. Expressing approval of a maximum daytime speed limit of 70 miles an hour on all 4-lane highways, with a nighttime maximum of 60 miles per hour.

McDOWELL LEE,
Secretary.

BILLS ON SECOND READING

Mr. Goldthwaite, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following

bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 285. To use the final peaceful and lawful means available to the people of the sovereign State of Alabama, to void unconstitutional legislation passed by members of the U. S. Congress, to clarify the law within the State of Alabama which has been confused by unconstitutional and illegal actions of members of the United States Supreme Court, the federal Executive Branch and finally the U. S. Congress itself, to correct distortions of the basic Law of the Land, to eliminate arrogations of power by federal agencies which power was not "delegated by the Constitution nor prohibited by it to the States", to revoke usurpations by the Federal Government of power retained under the Constitution of the United States by the State of Alabama and the people thereof, to void within the State of Alabama the Public Law No. 88-352, so-called "The Civil Rights Act of 1964."

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 88. To amend further Code of Alabama 1940, Title 37, Section 440, in relation to the compensation of the mayor of any city having a population of not less than 28,000 nor more than 29,000.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 286. To amend Section 553, Title 52, of the Code of Alabama, 1940, regarding the physical examination of school children.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 119. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

INTRODUCTION OF BILL

Upon a call of counties the following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Messrs. Engel, Fields and Edington:

H. 287. To amend further Act No. 523, S. 315, Regular Session 1947 (Acts 1947 p. 379) which as amended creates and establishes the Water Improvement Commission so as to provide that the fisheries industry shall be represented on such commission and on the executive committee thereof.

Conservation.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Blanton, Hain, Bowers and Steagall:

H. J. R. 40. WHEREAS, Joseph Palumbo of Selma, Alabama, the immediate past District Number 10 Commander, Department of Ala-

bama, Veterans of Foreign Wars, has been selected for national honors as an All American District Commander for his outstanding leadership in the Veterans of Foreign Wars of the United States; and

WHEREAS, the special national recognition is to be bestowed on him by the Veterans of Foreign Wars at its forthcoming National Convention in Cleveland, Ohio; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we extend heartiest congratulations and best wishes to this distinguished citizen, and warmly commend him for his achievements and receipt of this great honor.

On motion of Mr. Blanton the rules were suspended and H. J. R. 40 was adopted.

Also:

By Mr. Baker (DeKalb):

H. J. R. 41. WHEREAS, William B. Camp, of Fort Payne, Alabama, the immediate past Commander of Veterans of Foreign Wars post number 3128, Fort Payne, Alabama has been named as the most outstanding post Commander of the Veterans of Foreign Wars in Alabama; and was selected as a member of the All American Team of post Commanders for his outstanding leadership in the Veterans of Foreign Wars of the United States; and

WHEREAS, the special recognition is to be bestowed on him by the Veterans of Foreign Wars at its forthcoming National Convention in Cleveland, Ohio; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we extend heartiest congratulations and best wishes to this distinguished citizen and warmly commend him for his achievements and receipt of this great honor.

On motion of Mr. Baker (DeKalb) the rules were suspended and H. J. R. 41 was adopted.

Also:

By Mr. Locke:

H. J. R. 42. MEMORIALIZING CONGRESS TO INITIATE A CONSTITUTIONAL AMENDMENT IN RELATION TO RESIDENTIAL QUALIFICATIONS OF UNITED STATES SENATORS.

To the Senate and House of Representatives of the United States:

We, your memorialists, the Legislature of the State of Alabama, in extraordinary session assembled, most respectfully represent that there is an urgent necessity for clarification and settlement by law of certain questions pertaining to residential requirements for holding of office as a Senator of the United States; and

WHEREAS, the Constitution clearly contemplates that Senators come to the Congress as Representatives of the States and the people thereof and not be designated merely as the Senators representing a State; and

WHEREAS, there is a danger to the political stability of this country to allow nonresidents and persons not qualified to vote within a State to become U. S. Senators representing the State in the Congress; and

WHEREAS no person ought to be eligible to election or appointment as a U. S. Senator unless he is a bona fide resident and qualified elector of the State for which he is chosen; now therefore, be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE JOINTLY CONCURRING, That the Congress be memorialized to act immediately under the authority of Article V of the Constitution of the United States and propose an amendment to Clause 3 of Section 3, Article I, of said Constitution, so that the same shall read in substance as follows:

"No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be a resident of that state for which he shall be chosen, and at said time shall have been a legal resident of that state for six years next preceding his election."

RESOLVED FURTHER, That copies of this memorial shall be sent by the Clerk of the House to the Speaker of the House of Representatives of the United States, to the President of the U. S. Senate, and to all members of Congress from Alabama.

On motion of Mr. Locke the rules were suspended and H. J. R. 42 was adopted.

Also:

By Mr. Bassett:

H. J. R. 43. WHEREAS, The Honorable Alex E. Brantley has been summoned to his eternal reward by his Creator, having faithfully served on earth the purpose of his creation, and

WHEREAS, The Honorable Alex E. Brantley served with distinction as Judge of Probate of Pike County for twenty-six years and was highly respected, not only by the people of that county but throughout the State of Alabama, for the honesty, impartiality and efficiency with which he conducted that office, and

WHEREAS, during his career he held many important public positions, including that of President of the Association of County Commissioners of Alabama, and

WHEREAS, The Honorable Alex E. Brantley was held in the highest esteem by the people of this State as being a man of unimpeachable character, distinguished ability, and imbued with a love of his State, and

WHEREAS, his passing is deeply mourned by persons in all walks of life and by the members of the Legislature, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the members of the Legislature do hereby express their deep sorrow at the passing of the Honorable Alex E. Brantley and extend their sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED that in grateful appreciation of his services to his State, his County and his fellow man, this Resolution be spread upon the pages of the Journal and that a copy hereof be sent forthwith to his family.

On motion of Mr. Bassett the rules were suspended and H. J. R. 43 was adopted.

H. 93 POSTPONED

On motion of Mr. Locke, consideration of the bill, H. 93, was postponed until the next legislative day.

BILLS ON THIRD READING

H. 270. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census.

Was taken up.

Mr. Mashburn offered the following amendment to the bill, H. 270:

AMENDMENT TO H. B. 270

In Section 1, strike out the words and figures "four thousand eight hundred dollars (\$4,800) per annum," and insert "six thousand dollars (\$6,000) per annum,"

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Powell
Albea	Cates	Harper	Pruitt
Bailes	Cook	Hawkins	Rast
Barnett	Cooper	Heflin	Rogers
Bassett	Cornett	Hogan	Salter
Bethea (B)	Crawford	Ingram	Scurlock
Bethea (M)	Daniel	Jones (Covington)	Sessions
Bevill	Davis	Jones (Monroe)	Slate
Blanton	Doggett	Locke	Snell
Bolton	Drake	McCorquodale	Steagall
Boston	Edington	McDermott	Stembridge
Bowers	Edwards (Escambia)	Mashburn	Sullivan
Branyon	Edwards (Lowndes)	Meade	Teel
Brown (Jefferson)	Engel	Merrill	Thomas
Brown (Tuscaloosa)	Etheredge	Moore	Tuck
Burnham	Fite	Morrow	Turner (Crenshaw)
Burns	Gilmore	Nettles	Turner (Limestone)
Camp	Glass	Paulk	Turnham
Campbell (Jackson)	Goldthwaite	Perry	Vacca
Campbell (Tuscaloosa)	Goodwyn	Pierce	Young
Cantrell	Hain	Posey	

—83

And said bill, H. 270, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bolton	Brown (Tuscaloosa)
Albea	Bethea (B)	Boston	Burnham
Bailes	Bethea (M)	Bowers	Burns
Baker (DeKalb)	Bevill	Branyon	Camp
Barnett	Blanton	Brown (Jefferson)	Campbell (Jackson)

Campbell(Tuscaloosa)	Etheredge	McCorquodale	Salter
Cantrell	Fite	McDermott	Scurlock
Casey	Gilmore	Mashburn	Sessions
Cates	Glass	Meade	Slate
Collins	Goldthwaite	Meeks	Snell
Cook	Goodwyn	Merrill	Steagall
Cooper	Grouby	Moore	Stembridge
Cornett	Hain	Morrow	Sullivan
Crawford	Hannah	Nettles	Teel
Daniel	Harper	Paulk	Thomas
Davis	Hawkins	Perry	Tuck
Doggett	Heflin	Pierce	Turner (Crenshaw)
Drake	Hogan	Posey	Turner (Limestone)
Edington	Ingram	Powell	Turnham
Edwards (Escambia)	Jones (Covington)	Pruitt	Vacca
Edwards (Lowndes)	Jones (Monroe)	Rast	Young
Engel	Locke	Rogers	

—87

And the bill:

H. 271. Providing further for the compensation of members of the board of registrars in counties having not less than 48,500 nor more than 49,500 population according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Grouby	Posey
Albea	Cates	Hain	Powell
Bailes	Collins	Hannah	Pruitt
Baker (DeKalb)	Cook	Harper	Rast
Barnett	Cooper	Hawkins	Rogers
Bassett	Cornett	Heflin	Salter
Bethea (B)	Crawford	Hogan	Scurlock
Bethea (M)	Daniel	Ingram	Sessions
Bevill	Davis	Jones (Covington)	Slate
Blanton	Doggett	Jones (Monroe)	Snell
Bolton	Drake	Locke	Steagall
Boston	Edington	McCorquodale	Stembridge
Bowers	Edwards (Escambia)	McDermott	Sullivan
Branyon	Edwards (Lowndes)	Mashburn	Teel
Brown (Jefferson)	Engel	Meeks	Thomas
Brown (Tuscaloosa)	Etheredge	Merrill	Tuck
Burnham	Fields	Moore	Turner (Crenshaw)
Burns	Fite	Morrow	Turner (Limestone)
Camp	Gilmore	Nettles	Turnham
Campbell (Jackson)	Glass	Paulk	Vacca
Campbell(Tuscaloosa)	Goldthwaite	Perry	Young
Cantrell	Goodwyn	Pierce	

—87

And the bill:

H. 275. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins	Harper	Posey
Albea	Cooper	Hawkins	Powell
Bailes	Cornett	Heflin	Pruitt
Baker (DeKaib)	Crawford	Hogan	Rast
Barnett	Daniel	Ingram	Rogers
Bassett	Davis	Jones (Covington)	Salter
Bethea (B)	Doggett	Jones (Monroe)	Scurlock
Bethea (M)	Drake	Locke	Sessions
Bevill	Edington	McCorquodale	Slate
Blanton	Edwards (Escambia)	McDermott	Snell
Bolton	Edwards (Lowndes)	Mashburn	Steagall
Boston	Engel	Meade	Stembridge
Bowers	Etheredge	Meeks	Sullivan
Branyon	Fields	Merrill	Teel
Brown (Jefferson)	Fite	Moore	Thomas
Burnham	Gilmore	Morrow	Tuck
Burns	Glass	Nabors	Turner (Crenshaw)
Camp	Goldthwaite	Nettles	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Paulk	Turnham
Campbell (Tuscaloosa)	Grouby	Perry	Vacca
Casey	Hain	Pierce	Young
Cates	Hannah		

—86

And the bill:

H. 283. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	Pierce
Albea	Cates	Hannah	Posey
Avery	Collins	Harper	Powell
Bailes	Cooper	Hawkins	Pruitt
Baker (DeKaib)	Cornett	Heflin	Rast
Barnett	Crawford	Hogan	Rogers
Bassett	Daniel	Ingram	Salter
Bethea (B)	Davis	Jones (Covington)	Scurlock
Bethea (M)	Doggett	Jones (Monroe)	Slate
Bevill	Drake	Locke	Snell
Blanton	Edington	McCorquodale	Steagall
Bolton	Edwards (Escambia)	McDermott	Stembridge
Boston	Edwards (Lowndes)	Mashburn	Sullivan
Bowers	Engel	Meade	Teel
Branyon	Etheredge	Meeks	Thomas
Brown (Jefferson)	Fields	Merrill	Tuck
Brown (Tuscaloosa)	Fite	Moore	Turner (Crenshaw)
Burnham	Gilmore	Morrow	Turner (Limestone)
Burns	Glass	Nabors	Turnham
Camp	Goldthwaite	Nettles	Vacca
Campbell (Jackson)	Goodwyn	Paulk	Young
Campbell (Tuscaloosa)	Grouby	Perry	

—87

And the bill:

H. 284. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Perry
Albea	Casey	Hannah	Pierce
Avery	Cates	Harper	Posey
Bailes	Collins	Hawkins	Powell
Baker (DeKalb)	Cooper	Heflin	Pruitt
Barnett	Cornett	Hogan	Rast
Bassett	Crawford	Ingram	Rogers
Bethea (B)	Daniel	Jones (Covington)	Salter
Bethea (M)	Davis	Jones (Monroe)	Scurlock
Bevill	Doggett	Locke	Slate
Blanton	Drake	McCorquodale	Snell
Bolton	Edington	McDermott	Steagall
Boston	Edwards (Escambia)	Mashburn	Stembridge
Bowers	Edwards (Lowndes)	Meade	Teel
Branyon	Engel	Meeks	Thomas
Brown (Jefferson)	Fields	Merrill	Tuck
Brown (Tuscaloosa)	Fite	Moore	Turner (Greenshaw)
Burnham	Gilmore	Morrow	Turner (Limestone)
Burns	Glass	Nabors	Turnham
Camp	Goldthwaite	Nettles	Vacca
Campbell (Jackson)	Goodwyn	Owens	Young
Campbell (Tuscaloosa)	Grouby	Paulk	

—87

And the bill:

S. 122. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cook	Fields
Albea	Branyon	Cooper	Fite
Avery	Brown (Jefferson)	Cornett	Gilmore
Bailes	Brown (Tuscaloosa)	Crawford	Glass
Baker (DeKalb)	Burnham	Daniel	Goldthwaite
Barnett	Burns	Davis	Goodwyn
Bassett	Camp	Doggett	Grouby
Bethea (B)	Campbell (Jackson)	Drake	Hain
Bethea (M)	Campbell (Tuscaloosa)	Edington	Hannah
Bevill	Carr	Edwards (Escambia)	Harper
Blanton	Casey	Edwards (Lowndes)	Hawkins
Bolton	Cates	Engel	Heflin
Boston	Collins	Etheredge	Hester

Hogan	Moore	Pruitt	Stembridge
Ingram	Morrow	Rast	Sullivan
Jones (Covington)	Nabors	Rogers	Teel
Jones (Monroe)	Nettles	Salter	Thomas
Locke	Owens	Scurlock	Tuck
McCorquodale	Paulk	Sessions	Turner (Crenshaw)
McDermott	Perry	Slate	Turner (Limestone)
Mashburn	Pierce	Smith	Turnham
Meade	Posey	Snell	Vacca
Meeks	Powell	Steagall	Young
Merrill			

—93

And the bill:

S. 123. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Perry
Albea	Casey	Hannah	Pierce
Avery	Cates	Harper	Posey
Bailes	Cook	Hawkins	Powell
Baker (DeKalb)	Cooper	Heflin	Pruitt
Barnett	Cornett	Hester	Rast
Bassett	Crawford	Hogan	Rogers
Bethea (B)	Daniel	Ingram	Salter
Bethea (M)	Davis	Jones (Covington)	Scurlock
Bevill	Doggett	Jones (Monroe)	Sessions
Blanton	Drake	Locke	Slate
Bolton	Edington	McCorquodale	Smith
Boston	Edwards (Escambia)	McDermott	Snell
Bowers	Edwards (Lowndes)	Mashburn	Steagall
Branyon	Engel	Meade	Stembridge
Brown (Jefferson)	Etheredge	Meeks	Sullivan
Brown (Tuscaloosa)	Fields	Merrill	Teel
Burnham	Fite	Moore	Thomas
Burns	Gilmore	Morrow	Turner (Crenshaw)
Camp	Glass	Nabors	Turner (Limestone)
Campbell (Jackson)	Goldthwaite	Nettles	Turnham
Campbell (Tuscaloosa)	Goodwyn	Owens	Vacca
Cantrell	Grouby	Paulk	

—91

And the bill:

H. 276. To revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963, (Ala. Acts, 1963, page 963, et seq.)

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bethea (M)	Boston
Albea	Barnett	Bevill	Bowers
Avery	Bassett	Blanton	Branyon
Bailes	Bethea (B)	Bolton	Brown (Jefferson)

Brown (Tuscaloosa)	Edwards (Escambia)	Jones (Covington)	Pruitt
Burnham	Edwards (Lowndes)	Jones (Monroe)	Rast
Burns	Engel	Locke	Rogers
Camp	Etheredge	McCorquodale	Salter
Campbell (Jackson)	Fields	McDermott	Scurlock
Campbell (Tuscaloosa)	Fite	Mashburn	Sessions
Cantrell	Gilmore	Meade	Slate
Carr	Glass	Meeks	Smith
Casey	Goldthwaite	Merrill	Snell
Cates	Goodwyn	Moore	Steagall
Collins	Grouby	Morrow	Stembridge
Cook	Hain	Nabors	Sullivan
Cooper	Hannah	Nettles	Teel
Cornett	Harper	Owens	Thomas
Crawford	Hawkins	Paulk	Turner (Crenshaw)
Daniel	Heflin	Perry	Turner (Limestone)
Davis	Hester	Pierce	Turnham
Doggett	Hogan	Posey	Vacca
Edington	Ingram	Powell	Young

—92

And the bill:

H. 269. Relating to counties with cities having populations of not less than 200,000 nor more than 300,000; regulating further the compensation of the judge of certain inferior civil courts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Casey	Hawkins	Powell
Albee	Collins	Heflin	Pruitt
Avery	Cooper	Hester	Rast
Bailes	Cornett	Hogan	Rogers
Baker (DeKalb)	Crawford	Jones (Covington)	Salter
Barnett	Daniel	Little	Scurlock
Bassett	Davis	Locke	Sessions
Bethea (B)	Doggett	McCorquodale	Slate
Bethea (M)	Edington	McDermott	Smith
Bevill	Edwards (Escambia)	Meade	Snell
Blanton	Edwards (Lowndes)	Meeks	Steagall
Boston	Engel	Merrill	Stembridge
Bowers	Etheredge	Moore	Sullivan
Brown (Jefferson)	Fields	Morrow	Teel
Brown (Tuscaloosa)	Fite	Nabors	Thomas
Burnham	Glass	Nettles	Tuck
Burns	Goldthwaite	Owens	Turner (Crenshaw)
Camp	Goodwyn	Paulk	Turner (Limestone)
Campbell (Jackson)	Grouby	Perry	Turnham
Campbell (Tuscaloosa)	Hain	Pierce	Vacca
Cantrell	Hannah	Posey	Young
Carr	Harper		

—86

And the bill:

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the re-

tirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Was taken up.

Mr. Engel offered the following amendment to the bill, H. 278:

AMENDMENT TO H. B. 278

In Section 9 (a), strike out the second sentence beginning with the words "The Board" and insert "The Board shall consist of five reputable persons who are bona fide residents of the City of Mobile, over the age of 21, who do not hold any salaried office with the city or county of Mobile. One active member of Mobile's police department and one active member of the Mobile fire department shall serve in an advisory capacity to the Board, but shall not have a vote."

Also, in Section 14, first sentence, after the words "twenty consecutive years" insert "and who has reached the age of fifty-five years or more"

Also, in Section 15 (a), after the word "continuous" insert "and who has reached the age of fifty-five years or more"

Also, in Section 15 (b), after the words "as long as thirty years" insert "and who has reached the age of fifty-five years or more"

Also, in Section 15 (c), after the words "thirty-five years or longer" insert "and who has reached the age of fifty-five years or more"

Also, in Section 16 (b), strike out "or whenever any member of the police or fire department, regardless of his or her length of service, shall die while on duty or die before retirement as a result of injuries sustained while on duty" and insert "or whenever any member of the police or fire department, regardless of his or her length of service, shall die as a result of injuries sustained in the line of duty,"

Also, in Section 16 (c), strike out "or whenever any member of the Police or Fire Department, regardless of his or her length of service, shall die while on duty or die before retirement as a result of injuries sustained while on duty," and insert "or whenever any member of the Police or Fire Department, regardless of his or her length of service, shall die as a result of injuries sustained in the line of duty,"

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brown (Jefferson)	Davis	Grouby
Albea	Brown (Tuscaloosa)	Doggett	Hain
Avery	Burnham	Edington	Hannah
Bailes	Burns	Edwards (Escambia)	Harper
Baker (DeKalb)	Camp	Edwards (Lowndes)	Hawkins
Barnett	Campbell (Jackson)	Engel	Heflin
Bassett	Campbell (Tuscaloosa)	Etheredge	Hester
Bethea (M)	Cantrell	Fields	Hogan
Bevill	Cook	Fite	Jones (Covington)
Blanton	Cooper	Gilmore	Jones (Monroe)
Bolton	Cornett	Glass	Little
Boston	Crawford	Goldthwaite	Locke
Bowers	Daniel	Goodwyn	McCorquodale

McDermott	Paulk	Scurlock	Teel
Mashburn	Perry	Sessions	Thomas
Meade	Pierce	Slate	Tuck
Meeks	Posey	Smith	Turner (Crenshaw)
Merrill	Powell	Snell	Turner (Limestone)
Morrow	Pruitt	Steagall	Turnham
Nabors	Rast	Stembridge	Vacca
Nettles	Rogers	Sullivan	Young
Owens	Salter		

—86

And said bill, H. 278, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cook	Heflin	Posey
Albea	Cooper	Hester	Powell
Avery	Cornett	Hogan	Pruitt
Bailes	Crawford	Ingram	Rast
Baker (DeKaib)	Daniel	Jones (Covington)	Rogers
Barnett	Davis	Jones (Monroe)	Salter
Bassett	Doggett	Little	Scurlock
Bethea (B)	Edington	Locke	Sessions
Bethea (M)	Edwards (Escambia)	McCorquodale	Slate
Bevill	Edwards (Lowndes)	McDermott	Smith
Blanton	Engel	Mashburn	Snell
Bolton	Etheredge	Meade	Steagall
Boston	Fields	Meeks	Stembridge
Bowers	Fite	Merrill	Sullivan
Brown (Jefferson)	Gilmore	Moore	Teel
Brown (Tuscaloosa)	Glass	Morrow	Thomas
Burnham	Goldthwaite	Nabors	Tuck
Burns	Goodwyn	Nettles	Turner (Crenshaw)
Camp	Grouby	Owens	Turner (Limestone)
Campbell (Jackson)	Hain	Paulk	Turnham
Campbell (Tuscaloosa)	Hannah	Perry	Vacca
Cantrell	Harper	Pierce	Young
Carr	Hawkins		

—90

And the bill:

H. 279. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Baker (DeKaib)	Bethea (M)	Boston
Albea	Barnett	Bevill	Bowers
Avery	Bassett	Blanton	Brown (Jefferson)
Bailes	Bethea (B)	Bolton	Brown (Tuscaloosa)

Burnham	Engel	McCorquodale	Rogers
Burns	Etheredge	McDermott	Salter
Camp	Fields	Mashburn	Scurlock
Campbell (Jackson)	Fite	Meade	Sessions
Campbell (Tuscaloosa)	Gilmore	Meeks	Slate
Cantrell	Glass	Merrill	Smith
Carr	Goodwyn	Moore	Snell
Collins	Hain	Morrow	Steagall
Cook	Hannah	Nabors	Stembridge
Cooper	Harper	Nettles	Sullivan
Cornett	Heflin	Owens	Teel
Crawford	Hester	Paulk	Thomas
Daniel	Hogan	Perry	Tuck
Davis	Ingram	Pierce	Turner (Crenshaw)
Doggett	Jones (Covington)	Posey	Turner (Limestone)
Edington	Jones (Monroe)	Powell	Turnham
Edwards (Escambia)	Little	Pruitt	Vacca
Edwards (Lowndes)	Locke	Rast	Young

—88

And the bill:

H. 280 (with amendment). Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer; "to provide further for the compensation of the chief clerk in the office of the sheriff.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said committee amendment being as follows:

COMMITTEE AMENDMENT TO H. B. 280

Amend H. B. 280 by deleting from Section 1 the words "one chief clerk to receive seven thousand two hundred dollars (\$7,200) per annum" and insert in lieu thereof the words "one chief clerk to receive seven thousand eight hundred dollars (\$7,800) per annum".

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Bethea (M)	Burns	Cook
Albea	Bevill	Camp	Cooper
Avery	Blanton	Campbell (Jackson)	Cornett
Bailes	Bolton	Campbell (Tuscaloosa)	Crawford
Baker (DeKalb)	Boston	Cantrell	Daniel
Barnett	Bowers	Carr	Davis
Bassett	Brown (Jefferson)	Cates	Doggett
Bethea (B)	Burnham	Collins	Edington

Edwards (Escambia)	Hogan	Nabors	Slate
Edwards (Lowndes)	Ingram	Nettles	Smith
Engel	Jones (Covington)	Owens	Snell
Etheredge	Jones (Monroe)	Paulk	Steagall
Fields	Little	Perry	Stembridge
Fite	Locke	Pierce	Sullivan
Gilmore	McCorquodale	Posey	Teel
Glass	McDermott	Powell	Thomas
Goodwyn	Mashburn	Pruitt	Tuck
Hain	Meade	Rast	Turner (Crenshaw)
Hannah	Meeks	Rogers	Turner (Limestone)
Harper	Merrill	Salter	Turnham
Heflin	Moore	Scurlock	Vacca
Hester	Morrow	Sessions	Young

—88

And said bill, H. 280, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins	Hester	Powell
Albea	Cook	Hogan	Pruitt
Avery	Cooper	Ingram	Rast
Bailes	Cornett	Jones (Covington)	Rogers
Baker (DeKalb)	Crawford	Jones (Monroe)	Salter
Barnett	Daniel	Little	Scurlock
Bassett	Davis	McCorquodale	Sessions
Bethea (B)	Doggett	McDermott	Slate
Bethea (M)	Edington	Mashburn	Smith
Bevill	Edwards (Escambia)	Meade	Snell
Blanton	Edwards (Lowndes)	Meeks	Steagall
Bolton	Engel	Merrill	Stembridge
Boston	Etheredge	Moore	Sullivan
Bowers	Fields	Morrow	Teel
Brown (Jefferson)	Fite	Nabors	Thomas
Burnham	Gilmore	Nettles	Tuck
Burns	Glass	Owens	Turner (Crenshaw)
Camp	Goodwyn	Paulk	Turner (Limestone)
Campbell (Jackson)	Hain	Perry	Turnham
Cantrell	Hannah	Pierce	Vacca
Carr	Harper	Posey	Young
Cates	Heflin		

—86

And the bill:

H. 281. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bevill	Bowers
Albea	Bassett	Blanton	Brown (Jefferson)
Avery	Bethea (B)	Bolton	Burnham
Bailes	Bethea (M)	Boston	Burns

Camp	Etheredge	McCorquodale	Rogers
Campbell (Jackson)	Fields	McDermott	Salter
Campbell(Tuscaloosa)	Fite	Mashburn	Scurlock
Cantrell	Gilmore	Meade	Sessions
Carr	Glass	Meeks	Slate
Cates	Goodwyn	Merrill	Snell
Collins	Hain	Morrow	Steagall
Cook	Hannah	Nabors	Stembridge
Cooper	Harper	Nettles	Sullivan
Cornett	Hawkins	Owens	Teel
Crawford	Heflin	Paulk	Thomas
Daniel	Hester	Perry	Tuck
Davis	Hogan	Pierce	Turner (Crenshaw)
Doggett	Jones (Covington)	Posey	Turner (Limestone)
Edington	Jones (Monroe)	Powell	Turnham
Edwards (Escambia)	Little	Pruitt	Vacca
Edwards (Lowndes)	Locke	Rast	Young
Engel			

—85

And the bill:

S. 85. To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Carr	Hannah	Posey
Albea	Casey	Harper	Powell
Avery	Cates	Heflin	Pruitt
Bailes	Collins	Hester	Rast
Baker (DeKalb)	Cook	Hogan	Rogers
Barnett	Cooper	Jones (Covington)	Salter
Bassett	Cornett	Jones (Monroe)	Scurlock
Bethea (B)	Crawford	Locke	Sessions
Bethea (M)	Daniel	McCorquodale	Slate
Bevill	Davis	McDermott	Smith
Blanton	Doggett	Mashburn	Snell
Bolton	Edington	Meade	Steagall
Boston	Edwards (Escambia)	Meeks	Stembridge
Bowers	Edwards (Lowndes)	Merrill	Sullivan
Branyon	Engel	Moore	Teel
Brown (Jefferson)	Etheredge	Morrow	Thomas
Burnham	Fields	Nabors	Tuck
Burns	Fite	Nettles	Turner (Crenshaw)
Camp	Glass	Owens	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Paulk	Turnham
Campbell(Tuscaloosa)	Grouby	Perry	Vacca
Cantrell	Hain	Pierce	Young

—88

And the bill:

S. 100. Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Pierce
Albea	Collins	Harper	Posey
Avery	Cook	Heflin	Powell
Bailes	Cooper	Hester	Pruitt
Baker (DeKalb)	Cornett	Hogan	Rast
Barnett	Crawford	Jones (Covington)	Rogers
Bassett	Daniel	Jones (Monroe)	Salter
Bethea (B)	Davis	Little	Scurlock
Bethea (M)	Doggett	Locke	Sessions
Bevill	Edington	McCorquodale	Slate
Blanton	Edwards (Escambia)	McDermott	Snell
Bolton	Edwards (Lowndes)	Mashburn	Steagall
Boston	Engel	Meade	Stembridge
Bowers	Etheredge	Meeks	Sullivan
Branyon	Fields	Merrill	Teel
Brown (Jefferson)	Fite	Moore	Thomas
Burnham	Gilmore	Morrow	Tuck
Burns	Glass	Nabors	Turner (Crenshaw)
Camp	Goldthwaite	Nettles	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Owens	Turnham
Campbell (Tuscaloosa)	Grouby	Paulk	Vacca
Cantrell	Hain	Perry	Young
Carr			

—32

And the bill:

S. 101. To provide for compensation of jurors in DeKalb County.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Carr	Hannah	Pierce
Albea	Cates	Harper	Posey
Avery	Collins	Heflin	Powell
Bailes	Cook	Hester	Pruitt
Baker (DeKalb)	Cooper	Hogan	Rast
Barnett	Cornett	Ingram	Rogers
Bassett	Crawford	Jones (Covington)	Salter
Bethea (B)	Daniel	Jones (Monroe)	Scurlock
Bethea (M)	Davis	Little	Slate
Bevill	Doggett	Locke	Smith
Blanton	Edington	McCorquodale	Snell
Bolton	Edwards (Escambia)	McDermott	Steagall
Boston	Edwards (Lowndes)	Mashburn	Stembridge
Bowers	Engel	Meade	Sullivan
Branyon	Etheredge	Meeks	Teel
Brown (Jefferson)	Fields	Merrill	Thomas
Brown (Tuscaloosa)	Fite	Moore	Tuck
Burnham	Gilmore	Nabors	Turner (Crenshaw)
Burns	Glass	Nettles	Turner (Limestone)
Camp	Goldthwaite	Owens	Turnham
Campbell (Jackson)	Goodwyn	Paulk	Vacca
Campbell (Tuscaloosa)	Grouby	Perry	Young
Cantrell	Hain		

—90

And the bill:

S. 137. Relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Hannah	Powell
Albea	Carr	Harper	Pruitt
Avery	Cates	Heflin	Rast
Bailes	Collins	Hogan	Rogers
Baker (DeKalb)	Cook	Ingram	Salter
Barnett	Cooper	Jones (Covington)	Scurlock
Bassett	Cornett	Jones (Monroe)	Sessions
Bethea (B)	Crawford	Little	Slate
Bethea (M)	Daniel	Locke	Smith
Bevill	Davis	McCorquodale	Snell
Blanton	Doggett	McDermott	Steagall
Bolton	Edington	Mashburn	Stembridge
Boston	Edwards (Escambia)	Meade	Sullivan
Bowers	Edwards (Lowndes)	Meeks	Teel
Branyon	Fields	Moore	Thomas
Brown (Jefferson)	Fite	Nabors	Tuck
Brown (Tuscaloosa)	Gilmore	Nettles	Turner (Crenshaw)
Burnham	Glass	Owens	Turner (Limestone)
Burns	Goldthwaite	Paulk	Turnham
Camp	Goodwyn	Perry	Vacca
Campbell (Jackson)	Grouby	Pierce	Young
Campbell (Tuscaloosa)	Hain	Posey	

—87

And the bill:

S. 104. For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Burns	Edwards (Lowndes)	Jones (Covington)
Albea	Camp	Engel	Jones (Monroe)
Avery	Campbell (Tuscaloosa)	Fields	Little
Bailes	Cantrell	Fite	Locke
Baker (DeKalb)	Carr	Gilmore	McCorquodale
Barnett	Cates	Glass	McDermott
Bassett	Collins	Goldthwaite	Meade
Bethea (B)	Cook	Goodwyn	Meeks
Bevill	Cooper	Grouby	Merrill
Blanton	Cornett	Hain	Moore
Bolton	Crawford	Hannah	Morrow
Boston	Daniel	Harper	Nabors
Bowers	Davis	Heflin	Nettles
Branyon	Doggett	Hester	Owens
Brown (Jefferson)	Edington	Hogan	Paulk
Brown (Tuscaloosa)	Edwards (Escambia)	Ingram	Perry

Pierce	Salter	Stembridge	Turner (Grenshaw)
Posey	Scurlock	Sullivan	Turner (Limestone)
Powell	Slate	Teel	Turnham
Pruitt	Smith	Thomas	Vacca
Rast	Snell	Tuck	Young
Rogers	Steagall		

—86

And the bill:

S. 107. To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cates	Heflin	Posey
Albea	Cook	Hester	Powell
Avery	Cooper	Hogan	Pruitt
Bailes	Cornett	Ingram	Rast
Baker (DeKalb)	Crawford	Jones (Covington)	Rogers
Barnett	Daniel	Jones (Monroe)	Salter
Bassett	Davis	Little	Scurlock
Bethoa (B)	Doggett	Locke	Slate
Bethea (M)	Edgington	McCorquodale	Smith
Bevill	Edwards (Escambia)	McDermott	Snell
Blanton	Edwards (Lowndes)	Mashburn	Steagall
Bolton	Engel	Meade	Stembridge
Boston	Etheredge	Meeks	Sullivan
Bowers	Fields	Merrill	Teel
Branyon	Fite	Moore	Thomas
Brown (Jefferson)	Gilmore	Morrow	Tuck
Brown (Tuscaloosa)	Glass	Nabors	Turner (Grenshaw)
Burns	Goldthwaite	Nettles	Turner (Limestone)
Camp	Goodwyn	Owens	Turnham
Campbell (Tuscaloosa)	Grouby	Paulk	Vacca
Cantrell	Hain	Perry	Young
Carr	Hannah	Pierce	

—87

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 95. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Also:

H. 97. To apply only in counties having populations of not less than 13,700 nor more than 14,300, relative to closing the office of officials in the courthouse.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House without engrossment:

By Mr. Allen:

S. 140. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 140. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property annexed to municipalities in such counties, and in newly incorporated areas.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rast the House concurred in and adopted the Senate amendment to the bill, H. 37, said Senate amendment being as follows:

AMENDMENT TO HOUSE BILL 37

Amend the title of House Bill 37 by adding the word "unincorporated" before the word "property" in said title.

Amend Section 2 of House Bill 37 by adding the word "unincorporated" before the word "territory" and by deleting from Section 2 the following words and figures, "until the next succeeding tax year after the tax year beginning on October 1 following the date of the annexation" and adding in lieu thereof the following words and figures, "payable on October 1st of such calendar year." Also put "July 1st" in lieu of April 1st wherever April 1st appears in said Section 2 and July 10th in lieu of April 10th.

Amend Section 3 of House Bill 37 by deleting from said Section 3 the following words "the population of such areas and"

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Paulk
Albea	Cook	Harper	Perry
Bailes	Cooper	Hawkins	Pierce
Baker (DeKalb)	Cornett	Heflin	Powell
Barnett	Crawford	Hester	Pruitt
Bevill	Daniel	Hogan	Rast
Blanton	Davis	Ingram	Rogers
Bolton	Doggett	Jones (Covington)	Salter
Boston	Drake	Jones (Monroe)	Scurlock
Bowers	Edington	Little	Sessions
Brown (Jefferson)	Edwards (Escambia)	Locke	Snell
Brown (Tuscaloosa)	Edwards (Lowndes)	McCorquodale	Steagall
Burnham	Engel	McDermott	Stembridge
Burns	Fields	Mashburn	Sullivan
Camp	Fite	Meade	Teel
Campbell (Jackson)	Gilmore	Meeks	Thomas
Campbell (Tuscaloosa)	Glass	Moore	Tuck
Cantrell	Goldthwaite	Morrow	Turner (Crenshaw)
Carr	Goodwyn	Nabors	Turner (Limestone)
Casey	Grouby	Nettles	Turnham
Cates	Hain	Owens	Vacca

—84

BILLS POSTPONED

On motion of Mr. Nabors, consideration of the bill, H. 28, was postponed until the thirteenth legislative day.

On motion of Mr. Rogers, consideration of the bill, H. 138, was temporarily postponed.

On motion of Mr. Casey, consideration of the bills, H. 15 and H. 16, was postponed until the thirteenth legislative day.

BILLS ON THIRD READING RESUMED

H. 10. To provide for conditional release of county prisoners; repealing conflicting laws.

Was again taken up.

Mr. Perry offered the following amendment to the bill, H. 10:

AMENDMENT TO HB 10

Amend the bill, House Bill #10, by substituting for the word "or" where it occurs the second time in the last sentence of Section I. the word "and".

And the amendment was adopted.

Yeas 78; Nays 6.

Yeas:

Mr. Speaker	Bassett	Brown (Tuscaloosa)	Campbell (Tuscaloosa)
Albea	Bethea (B)	Burnham	Cantrell
Avery	Blanton	Burns	Casey
Bailes	Boston	Camp	Cook
Barnett	Brown (Jefferson)	Campbell (Jackson)	Cooper

Cornett	Goldthwaite	McDermott	Pruitt
Crawford	Goodwyn	Mashburn	Rogers
Daniel	Grouby	Meade	Salter
Davis	Hain	Meeks	Smith
Doggett	Hannah	Merrill	Snell
Drake	Harper	Morrow	Steagall
Edington	Hawkins	Nabors	Stembridge
Edwards (Escambia)	Heflin	Nettles	Sullivan
Edwards (Lowndes)	Hester	Owens	Thomas
Engel	Hogan	Paulk	Tuck
Etheredge	Ingram	Perry	Turner (Crenshaw)
Fields	Jones (Covington)	Pierce	Turnham
Fite	Little	Posey	Vacca
Gilmore	Locke	Powell	Young
Glass	McCorquodale		

—78

Nays:

Messrs.	Bolton	Jones (Monroe)	Teel
Bevill	Callahan	Scurlock	

—6

And said bill, H. 10, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

*Yeas 79; Nays 3.**Yeas:*

Mr. Speaker	Cooper	Hester	Powell
Albea	Cornett	Hogan	Pruitt
Avery	Davis	Ingram	Rast
Bailes	Doggett	Jones (Covington)	Rogers
Bassett	Drake	Jones (Monroe)	Scurlock
Bevill	Edwards (Escambia)	Little	Sessions
Blanton	Edwards (Lowndes)	Locke	Smith
Bolton	Engel	McCorquodale	Snell
Boston	Etheredge	McDermott	Steagall
Bowers	Fite	Mashburn	Stembridge
Brown (Jefferson)	Gilmore	Meade	Sullivan
Brown (Tuscaloosa)	Glass	Meeks	Teel
Burnham	Goldthwaite	Merrill	Thomas
Burns	Goodwyn	Morrow	Tuck
Camp	Grouby	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Hain	Nettles	Turner (Limestone)
Campbell (Tuscaloosa)	Hannah	Owens	Turnham
Cantrell	Harper	Paulk	Vacca
Casey	Hawkins	Perry	Young
Cook	Heflin	Posey	

—79

Nays:

Messrs.	Bethea (8)	Pierce	Salter
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—3

And the bill:

H. 1. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 11.

Yeas:

Mr. Speaker	Drake	Hogan	Rogers
Avery	Edington	Jones (Covington)	Salter
Barnett	Edwards (Escambia)	Jones (Monroe)	Sessions
Bassett	Edwards (Lowndes)	McCorquodale	Smith
Blanton	Engel	McDermott	Snell
Boston	Fields	Mashburn	Steagall
Branyon	Fite	Merrill	Stembridge
Brown (Jefferson)	Glass	Nabors	Sullivan
Camp	Goodwyn	Nettles	Teel
Campbell (Jackson)	Grouby	Owens	Thomas
Campbell (Tuscaloosa)	Hain	Paulk	Tuck
Cantrell	Hannah	Pierce	Turner (Crenshaw)
Collins	Harper	Posey	Turnham
Cook	Hawkins	Powell	Vacca
Crawford	Heflin	Rast	Young
Daniel	Hester		

—62

Nays:

Messrs.	Bethea (M)	Goldthwaite	Morrow
Bailes	Bolton	Ingram	Perry
Bethea (B)	Casey	Little	Turner (Limestone)

—11

And the bill:

H. 274. To apply in counties having populations of not less than 19,500 nor more than 20,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like governing body of the county.

Was taken up.

Mr. Avery offered the following amendment to the bill, H. 274:

AMENDMENT TO H. B. 274

In the caption after the words "providing expense allowances for" insert "the chairman or presiding judge and"

Also, in Section 1, add at the end thereof the following: The chairman or presiding judge of the court or board shall also be provided an expense allowance not exceeding \$200 a month, to be fixed by resolution of the court or board.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bolton	Campbell (Tuscaloosa)	Davis
Albea	Boston	Cantrell	Doggett
Avery	Bowers	Casey	Drake
Bailes	Branyon	Collins	Edington
Barnett	Brown (Jefferson)	Cook	Edwards (Escambia)
Bassett	Brown (Tuscaloosa)	Cooper	Edwards (Lowndes)
Bethea (M)	Burnham	Cornett	Engel
Bevill	Camp	Crawford	Etheredge
Blanton	Campbell (Jackson)	Daniel	Fields

Fite	Jones (Covington)	Owens	Smith
Gilmore	Jones (Monroe)	Paulk	Snell
Glass	Little	Perry	Steagall
Goldthwaite	Locke	Pierce	Stembridge
Goodwyn	McCorquodale	Posey	Sullivan
Grouby	McDermott	Pruitt	Teel
Hain	Meade	Rast	Thomas
Hannah	Meeks	Rogers	Tuck
Harper	Merrill	Salter	Turner (Crenshaw)
Heflin	Moore	Scurlock	Turner (Limestone)
Hester	Morrow	Sessions	Turnham
Hogan	Nabors	Slate	Vacca
Ingram	Nettles		

—86

And said bill, H. 274, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins	Harper	Paulk
Albea	Cook	Hawkins	Perry
Avery	Cooper	Heflin	Pierce
Bailes	Cornett	Hester	Posey
Baker (DeKalb)	Crawford	Hogan	Pruitt
Barnett	Daniel	Ingram	Rast
Bassett	Davis	Jones (Covington)	Rogers
Bethea (M)	Doggett	Jones (Monroe)	Salter
Bevill	Drake	Little	Scurlock
Blanton	Edington	Locke	Slate
Bolton	Edwards (Escambia)	McCorquodale	Snell
Boston	Edwards (Lowndes)	McDermott	Steagall
Bowers	Engel	Mashburn	Stembridge
Branyon	Etheredge	Meade	Sullivan
Brown (Jefferson)	Fields	Meeks	Teel
Brown (Tuscaloosa)	Fite	Merrill	Thomas
Burnham	Gilmore	Moore	Tuck
Camp	Glass	Morrow	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	Nettles	Turnham
Cantrell	Grouby	Owens	Vacca
Casey	Hannah		

—86

H. 259 POSTPONED

On motion of Mr. Hogan, consideration of the bill, H. 259, was postponed until the thirteenth legislative day.

UNANIMOUS CONSENT GRANTED

Mr. Powell requested unanimous consent to substitute the bill, S. 113, for the bill, H. 24, and it was so granted.

PASSAGE OF S. 113

S. 113. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

Was read a third time at length and passed.

Yeas 78; Nays 3.

Yeas:

Mr. Speaker	Cantrell	Hawkins	Pierce
Albea	Casey	Heflin	Posey
Avery	Cates	Hester	Powell
Bailes	Collins	Hogan	Salter
Baker (DeKalb)	Cook	Ingram	Scurlock
Barnett	Cooper	Jones (Covington)	Slate
Bassett	Cornett	Jones (Monroe)	Smith
Bethea (M)	Crawford	Little	Snell
Bevill	Daniel	Locke	Steagall
Bolton	Davis	McCorquodale	Stembridge
Boston	Doggett	McDermott	Sullivan
Bowers	Drake	Mashburn	Teel
Brown (Jefferson)	Edington	Meade	Thomas
Brown (Tuscaloosa)	Edwards (Escambia)	Merrill	Tuck
Burnham	Edwards (Lowndes)	Moore	Turner (Crenshaw)
Burns	Fite	Nabors	Turner (Limestone)
Callahan	Glass	Nettles	Turnham
Camp	Goldthwaite	Owens	Vacca
Campbell (Jackson)	Grouby	Paulk	Young
Campbell (Tuscaloosa)	Hannah		

—78

Nays:

Messrs.	Perry	Rast	Sessions
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—3

BILLS POSTPONED

On motion of Mr. Powell, the bill, H. 24, was indefinitely postponed.

On motion of Mr. Morrow, consideration of the bill, H. 250, was postponed until the thirteenth legislative day.

BILLS ON THIRD READING RESUMED

H. 172. To provide expense allowance to circuit solicitors in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Burnham	Drake	Hawkins
Albea	Burns	Edington	Heflin
Bailes	Camp	Edwards (Escambia)	Hester
Baker (DeKalb)	Campbell (Jackson)	Edwards (Lowndes)	Hogan
Barnett	Cantrell	Etheredge	Ingram
Bassett	Casey	Fields	Jones (Covington)
Bethea (B)	Cook	Fite	Jones (Monroe)
Bevill	Cooper	Gilmore	Locke
Blanton	Cornett	Glass	McCorquodale
Bolton	Crawford	Goldthwaite	McDermott
Boston	Daniel	Goodwyn	Meade
Bowers	Davis	Grouby	Meeks
Brown (Jefferson)	Doggett	Hannah	Merrill

Moore	Posey	Smith	Thomas
Nabors	Powell	Snell	Tuck
Nettles	Pruitt	Steagall	Turner (Crenshaw)
Owens	Rogers	Stembridge	Turner (Limestone)
Paulk	Salter	Sullivan	Turnham
Perry	Scurlock	Teel	Vacca
Pierce	Sessions		

—78

And the bill:

H. 267. To amend further Section 8 of Act No. 201, Regular Session 1955, relating to the assignment and placement of pupils in the public schools.

Was taken up.

The motion of Mr. Hannah to indefinitely postpone the bill, H. 267, was lost.

Yeas 13; Nays 58.

Yeas:

Messrs.	Campbell (Jackson)	Engel	Smith
Blanton	Campbell (Tuscaloosa)	Hannah	Tuck
Boston	Carr	McDermott	Turner (Crenshaw)
Burnham	Edington		

—13

Nays:

Mr. Speaker	Cooper	Hogan	Perry
Albea	Crawford	Ingram	Pierce
Bassett	Daniel	Jones (Covington)	Posey
Bethea (B)	Doggett	Jones (Monroe)	Rast
Bethea (M)	Edwards (Escambia)	Little	Rogers
Bolton	Edwards (Lowndes)	Locke	Salter
Bowers	Fite	McCorquodale	Sessions
Branyon	Gilmore	Mashburn	Slate
Brown (Jefferson)	Goldthwaite	Meade	Snell
Brown (Tuscaloosa)	Goodwyn	Morrow	Steagall
Burns	Grouby	Nabors	Stembridge
Camp	Hain	Nettles	Teel
Casey	Harper	Owens	Turnham
Cates	Hawkins	Paulk	Vacca
Cook	Hester		

—58

On motion of Mr. Bethea (M), the motion of Mr. Hannah to postpone further consideration of the bill, H. 267, until the next legislative day, was laid upon the table.

Yeas 56; Nays 22.

Yeas:

Mr. Speaker	Cantrell	Gilmore	Jones (Covington)
Albea	Casey	Glass	Jones (Monroe)
Bethea (B)	Cates	Goldthwaite	Little
Bethea (M)	Collins	Goodwyn	Locke
Bolton	Cook	Grouby	McCorquodale
Bowers	Crawford	Harper	Mashburn
Branyon	Daniel	Hawkins	Meade
Brown (Jefferson)	Edwards (Escambia)	Hogan	Merrill
Camp	Fite	Ingram	Morrow

Nettles	Posey	Sessions	Tuck
Owens	Powell	Slate	Turner (Crenshaw)
Paulk	Rast	Steagall	Turnham
Perry	Rogers	Stembridge	Vacca
Pierce	Salter	Teel	Young

—56

Nays:

Messrs.	Boston	Fields	Scurlock
Avery	Burnham	Hain	Smith
Bailes	Campbell (Jackson)	Hannah	Snell
Barnett	Cooper	Heflin	Thomas
Bevill	Doggett	McDermott	Turner (Limestone)
Blanton	Edington	Pruitt	

—22

On motion of Mr. Bethea (M), the motion of Mr. Edington to re-commit the bill, H. 267, was laid upon the table.

Yeas 63; Nays 15.

Yeas:

Mr. Speaker	Cook	Hester	Perry
Albea	Cooper	Hogan	Pierce
Avery	Crawford	Ingram	Posey
Baker (DeKalb)	Daniel	Jones (Covington)	Rogers
Barnett	Davis	Jones (Monroe)	Sessions
Bassett	Edwards (Escambia)	Little	Slate
Bethea (B)	Edwards (Lowndes)	Locke	Snell
Bethea (M)	Fite	McCorquodale	Steagall
Bolton	Gilmore	Mashburn	Stembridge
Boston	Glass	Meade	Teel
Bowers	Goldthwaite	Moore	Thomas
Branyon	Goodwyn	Morrow	Turner (Crenshaw)
Brown (Jefferson)	Grouby	Nabors	Turnham
Cantrell	Hain	Nettles	Vacca
Casey	Harper	Owens	Young
Cates	Hawkins	Paulk	

—63

Nays:

Messrs.	Campbell (Jackson)	Hannah	Salter
Bailes	Edington	Heflin	Smith
Blanton	Etheredge	McDermott	Tuck
Burnham	Fields	Pruitt	Turner (Limestone)

—15

And said bill, H. 267, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 16.

Yeas:

Mr. Speaker	Bethea (M)	Callahan	Cooper
Albea	Bolton	Camp	Crawford
Avery	Bowers	Cantrell	Daniel
Barnett	Branyon	Casey	Doggett
Bassett	Brown (Jefferson)	Cates	Edwards (Escambia)
Bethea (B)	Burns	Cook	Edwards (Lowndes)

Fite	Jones (Covington)	Nabors	Smith
Gilmore	Jones (Monroe)	Nettles	Steagall
Glass	Little	Owens	Stembridge
Goldthwaite	Locke	Paulk	Sullivan
Goodwyn	McCorquodale	Perry	Teel
Grouby	Mashburn	Pierce	Thomas
Hain	Meade	Posey	Tuck
Harper	Meeks	Powell	Turner (Crenshaw)
Hawkins	Merrill	Rogers	Turnham
Hester	Moore	Sessions	Vacca
Hogan	Morrow	Slate	Young
Ingram			

—69

Nays:

Messrs.	Burnham	Edington	Salter
Baker (DeKalb)	Campbell (Jackson)	Hannah	Scurlock
Bevill	Campbell (Tuscaloosa)	Heflin	Snell
Blanton	Carr	McDermott	Turner (Limestone)
Boston			

—16

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Also:

H. 113. To amend Act No. 92 adopted at the Second Special Session of 1963 of the Legislature of Alabama to provide for the collection and distribution of the proceeds of the tax levied by the said act.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 128. To amend Section 2, Act No. 218, H. B. 404, Regular Session 1963, an act relating to counties having populations of not less than 300,000 nor more than 500,000.

Also:

H. 129. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act N. 345, S. 291, 1955 Acts Vol. II, p. 783).

Also:

H. 130. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama, 1955, (Vol. I, p. 515), approved August 3, 1955, entitled "An Act to provide further for the compensation of the Circuit Solicitor in circuits composed of one County and having not less than four nor more than nine Circuit Judges," as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. I, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940.

Also:

H. 131. To amend Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an Act relating to the office of License Commissioner in counties having populations of not less than 300,000 or more than 500,000.

Also:

H. 47. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and

powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Also:

H. 52. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 54. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

H. 55. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Also:

H. 56. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

Also:

H. 61. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

Also:

H. 62. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 63. To amend Act. No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Also:

H. 64. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 65. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

Also:

H. 66. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Also:

H. 67. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

H. 68. TO AMEND ACT NO. 502 OF THE LEGISLATURE OF ALABAMA OF 1923, APPROVED SEPTEMBER 29, 1923, (GENERAL ACTS OF ALABAMA OF 1923, PAGE 663, ET SEQ.), AS RE-ENACTED BY ACT NO. 283 OF THE LEGISLATURE OF ALABAMA OF 1943, APPROVED JUNE 28, 1943, (GENERAL ACTS OF ALABAMA OF 1943, PAGE 241 ET SEQ.), AS HERETOFORE AMENDED.

Also:

H. 69. TO AMEND ACT NO. 929 OF THE LEGISLATURE OF ALABAMA OF 1951, APPROVED SEPTEMBER 12, 1951, ACTS OF ALABAMA 1951, PAGE 1579, ET SEQ., AS HERETOFORE AMENDED.

Also:

H. 71. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Also:

H. 73. TO APPLY IN AND ONLY IN EACH CITY IN THIS STATE HAVING A POPULATION OF 300,000 OR MORE, ACCORDING TO THE LAST OR ANY SUBSEQUENT DECENNIAL FEDERAL CENSUS; TO PROVIDE FOR THE CREATION OF THE OFFICE OF CITY MAGISTRATE AND THE APPOINTMENT OF CITY MAGISTRATES; TO DEFINE THE QUALIFICATIONS, POWERS AND DUTIES OF CITY MAGISTRATES; AND TO PROVIDE FOR SEARCH WARRANTS AND WARRANTS OF ARREST.

Also:

H. 74. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Also:

H. 75. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Also:

H. 77. To authorize the County Board of Education of any county having a population of 500,000 or more according to the last or any succeeding federal decennial census to name school buildings in honor of living persons.

Also:

H. 147. To provide for the payment of an expense allowance for certain members of the board of revenue and control, court of county commissioners, or like governing body in every county having a population of not less than 57,000 nor more than 61,500 for expenses incurred in the performance of their duties.

Also:

H. 5. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Also:

H. 98. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Also:

H. 146. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000.

Also:

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Also:

H. 149. To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 151. TO AMEND SECTION 2, OF ACT NO. 258, H. 506, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX COLLECTOR OF PIKE COUNTY.

Also:

H. 150. TO AMEND SECTION 2, OF ACT NO. 259, H. 507, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX ASSESSOR OF PIKE COUNTY.

Also:

H. 152. TO AMEND SECTION 1 OF ACT NO. 332, H. 602, REGULAR SESSION 1961, AN ACT PROVIDING FOR A CLERK OF THE JUVENILE COURT OF PIKE COUNTY (ACTS 1961, V. 1, P. 358).

Also:

H. 153. TO AMEND SECTION 2 OF ACT NO. 148, S. 185, REGULAR SESSION 1955, AN ACT PROVIDING FOR A DEPUTY CIRCUIT CLERK FOR PIKE COUNTY.

Also:

H. 157. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

Also:

H. 158. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-five Thousand (65,000) nor more than Ninety-Five Thousand (95,000), according to the most recent Federal decennial census.

Also:

H. 154. To amend Act No. 218 S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Also:

H. 105. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 49,500 nor more than 50,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 155. Relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places.

Also:

H. 104. Relating to Lee County; fixing the pay of jurors, grand and petit.

Also:

H. 103. Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

Also:

H. 43. To amend SECTION 3 OF ACT NO. 695 OF THE 1951 LEGISLATURE.

Also:

H. 44. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Also:

H. 119. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

Also:

H. 120. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

Also:

H. 122. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Also:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Also:

H. 125. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of members of the courts of county commissioners, county commissions, or like county governing bodies of such counties.

Also:

H. 126. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent Federal census.

Also:

H. 127. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act #315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Also:

H. 99. To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

Also:

H. 101. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

H. 102. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Also:

H. 22. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697) entitled 'An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

Also:

H. 20. RELATING TO THE SHERIFF OF DALE COUNTY, PROVIDING AN ALLOWANCE FOR EMPANELING GRAND JURIES.

Also:

H. 50. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Also:

H. 51. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

Also:

H. 53. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thous-

and or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

H. 57. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regulate the payment of the salaries of said judge:

Also:

H. 58. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Also:

H. 59. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 60. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 94. Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

Also:

H. 48. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

Also:

H. 32. Regulating the compensation of election officers in counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census.

Also:

H. 46. To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof: to provide for

places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

Also:

H. 33. To apply only in counties having populations of not less than 15,500 nor more than 16,300, relative to closing the office of officials in the courthouse.

Also:

H. 38. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Also:

H. 40. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

Also:

H. 42. To authorize the governing body of any county having a population of 500,000 or more according to the last or any subsequent federal census to compensate any person for any injury to him or damage to his property by a motor vehicle operated by an employee of the county in the course of his employment where the governing body finds that the negligence of said employee was the proximate cause of such injury or damage, that the person who was injured or whose property was damaged was not guilty of any negligence proximately causing said injury or damage and that the circumstances of the injury or damage were such as to make compensation just and proper; and authorizing the county governing body to provide liability insurance for such purpose.

Also:

H. 41. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

Also:

H. 49. TO PROVIDE FOR AND FIX THE SUM OF THREE HUNDRED DOLLARS PER MONTH AS AN ALLOWANCE FOR EXPENSES FOR THE MAYOR OR OTHER CHIEF EXECUTIVE OFFICER OF ANY CITY HAVING A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS, FOR WHICH HE SHALL NOT BE REQUIRED TO FILE AN ACCOUNTING; AND TO PROVIDE THAT SUCH MAYOR OR CHIEF EXECUTIVE OFFICER SHALL ATTEND AS THE OFFICIAL REPRESENTATIVE OF THE CITY SUCH MEETINGS AND CONFERENCES IN SAID CITY TO WHICH HE IS INVITED AND WHICH WILL IN THE OPINION OF SUCH MAYOR OR CHIEF EXECUTIVE OFFICER RESULT IN THE ADVERTISEMENT OF SUCH CITY OR ANY FUNCTION OR UNDERTAKING OF SUCH CITY.

Also:

H. 70. TO AMEND ACT NO. 556, OF THE LEGISLATURE OF ALABAMA OF 1959, APPROVED NOVEMBER 19, 1959, ACTS OF ALABAMA OF 1959, PAGE 1376 ET SEQ.

Also:

H. 76. To provide that the governing body of any city in the state having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

Also:

H. 34. Relating to counties having populations of not less than 15,500 nor more than 16,300, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 39. Relative to commending Robert E. Roberts of Tuscaloosa, Alabama.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RECESS

On motion of Mr. Pierce, the House recessed, in accordance with joint resolution heretofore adopted, to hear addresses by Miss Shirley Crawford and Mr. John Hamilton Jordan, High School National Merit Scholars for the year 1964.

The House reconvened. The Speaker called the House to order.

BILLS ON THIRD READING RESUMED

H. 277. To amend Section 103 of Title 13, 1940 Code of Alabama, as amended, relating to the salary of Judges of the Court of Appeals.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 4.

Yeas:

Mr. Speaker	Davis	Hogan	Posey
Albea	Drake	Ingram	Powell
Bailes	Edington	Jones (Monroe)	Pruitt
Bassett	Edwards (Escambia)	Locke	Rogers
Bevill	Edwards (Lowndes)	McCorquodale	Sessions
Boston	Engel	McDermott	Slate
Brown (Jefferson)	Fields	Mashburn	Smith
Burns	Fite	Meade	Steagall
Campbell (Jackson)	Glass	Merrill	Sullivan
Cantrell	Goodwyn	Moore	Tuck
Casey	Grouby	Morrow	Turner (Crenshaw)
Cates	Hain	Nettles	Turner (Limestone)
Cook	Hannah	Owens	Turnham
Cornett	Hawkins	Paulk	Vacca
Daniel	Heflin	Perry	Young

—60

Nays:

Messrs.	Campbell (Tuscaloosa)	Jones (Covington)	Stembridge
Branyon			

—4

And the bill:

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 1.

Yeas:

Mr. Speaker	Casey	Grouby	Paulk
Albea	Cates	Hain	Perry
Avery	Collins	Hannah	Posey
Bailes	Cook	Harper	Powell
Baker (DeKalb)	Cooper	Hawkins	Pruitt
Bassett	Cornett	Heflin	Rast
Bethea (B)	Crawford	Hogan	Rogers
Bethea (M)	Daniel	Ingram	Salter
Bevill	Davis	Jones (Covington)	Scurlock
Blanton	Doggett	Little	Sessions
Bolton	Dominick	Locke	Slate
Boston	Drake	McCorquodale	Snell
Bowers	Edington	Mashburn	Steagall
Branyon	Edwards (Escambia)	Meade	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Sullivan
Brown (Tuscaloosa)	Etheredge	Merrill	Tuck
Burnham	Fields	Moore	Turner (Crenshaw)
Burns	Fite	Morrow	Turner (Limestone)
Campbell (Jackson)	Gilmore	Nabors	Turnham
Campbell (Tuscaloosa)	Glass	Nettles	Vacca
Cantrell	Goldthwaite	Owens	Young
Carr	Goodwyn		

—86

Nay: Mr. McDermott

—1

And the bill:

H. 282. To provide for the levy and collection by the governing body of Mobile County, if and when approved by a majority of the qualified electors of Mobile County participating in a referendum election, of an annual license tax and registration fee in the amount of \$10.00 upon every self-propelled motor vehicle, as defined in Section 692, Title 51, Code of Alabama of 1940, as amended, owned by any individual who is a resident of Mobile County and upon every self-propelled motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County; for the exemption of such motor vehicles owned and used by the State and Counties and municipalities of the State; for the proration of and for the time and manner for the payment of the license tax and registration fee; for providing for the enforcement of the Act and for penalties and fines for violation thereof; for authorizing the governing body of Mobile County to adopt and promulgate rules and regulations and to pay all expenses and costs necessary for or incidental to the collection and enforcement of the license tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the entire proceeds of said tax and fee shall be paid to and used solely for public hospital purposes by the Mobile County Hospital Board; to provide for the method and time of holding such referendum election or elections.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 2.

Yeas:

Mr. Speaker	Cooper	Hawkins	Perry
Albea	Crawford	Heflin	Powell
Bailes	Daniel	Hogan	Pruitt
Bassett	Davis	Ingram	Rast
Blanton	Dominick	Jones (Covington)	Rogers
Bowers	Drake	Little	Salter
Branyon	Edington	Locke	Slate
Brown (Jefferson)	Edwards (Escambia)	McCorquodale	Snell
Brown (Tuscaloosa)	Engel	McDermott	Steagall
Burnham	Fite	Mashburn	Stembridge
Burns	Gilmore	Meeks	Tuck
Campbell (Tuscaloosa)	Glass	Merrill	Turner (Crenshaw)
Cantrell	Goldthwaite	Morrow	Turner (Limestone)
Carr	Goodwyn	Nettles	Turnham
Casey	Grouby	Owens	Vacca
Collins	Hain	Paulk	Young
Cook	Harper		

—66

Nays: Messrs. Fields and Smith

—2

And the bill:

H. 11 (with substitute). To authorize boards of registrars to hold such meetings, obtain such clerical help and supplies, receive such legal assistance, and take such actions, all subject to the approval of the State Sovereignty Commission, as may be necessary to prevent the registration, under court order or otherwise, of persons not qualified to vote under the laws of the State of Alabama, or by procedures contrary to the laws of the State of Alabama, and for related purposes.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

JUDICIARY COMMITTEE SUBSTITUTE TO H. B. 11

A BILL
TO BE ENTITLED
AN ACT

To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings.

Be It Enacted by the Legislature of Alabama:

Section 1. The boards of registrars of the state may meet the number of days now provided by law for registration and other purposes and, in addition thereto, any board of registrars may meet for, and only for, the purposes of reviewing its records, correcting its records, purging or re-registration for an additional number of days not to exceed 50 days in any county in any calendar year, provided state funds are available and with the approval of the governor.

Section 2. All county boards of revenue, courts of county commissioners or like governing bodies of all counties in this state are author-

ized to expend any funds for supplies, equipment, telephone service, office space and clerical help as may be necessary to carry out the purposes of this act, provided, however, that any clerical personnel to work under the directions of the board of registrars shall be selected by the board of registrars and the compensation shall be set by the county governing body.

Section 3. If any provision of this act, or the application thereof to any person or circumstance is held invalid or inoperative by any court of competent jurisdiction, the remainder of the act and the application thereof to any other person or circumstances shall not be affected thereby.

Section 4. All other parts of laws which conflict with this act shall, to the extent of such conflict, be repealed.

Section 5. The provisions of this act are cumulative and shall not be construed to repeal or supercede any laws now inconsistent herewith.

Section 6. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Owens
Albea	Collins	Hain	Perry
Bailes	Cook	Harper	Posey
Bassett	Cooper	Hawkins	Powell
Bevill	Cornett	Heflin	Pruitt
Blanton	Crawford	Hogan	Rogers
Boston	Daniel	Ingram	Salter
Bowers	Doggett	Jones (Covington)	Scurlock
Branyon	Drake	Little	Sessions
Brown (Jefferson)	Edington	Locke	Snell
Brown (Tuscaloosa)	Edwards (Escambia)	McCorquodale	Steagall
Burnham	Edwards (Lowndes)	McDermott	Thomas
Burns	Engel	Mashburn	Tuck
Camp	Etheredge	Meade	Turner (Crenshaw)
Campbell (Jackson)	Fite	Meeks	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	Merrill	Turnham
Cantrell	Glass	Nabors	Vacca
Carr	Goldthwaite	Nettles	Young
Casey	Goodwyn		

—74

And said bill, H. 11, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Blanton	Burnham	Carr
Albea	Boston	Burns	Casey
Bailes	Bowers	Camp	Cates
Baker (DeKalb)	Branyon	Campbell (Jackson)	Collins
Bassett	Brown (Jefferson)	Campbell (Tuscaloosa)	Cook
Bevill	Brown (Tuscaloosa)	Cantrell	Cooper

Cornett	Goodwyn	Mashburn	Salter
Crawford	Grouby	Meade	Scurlock
Daniel	Hain	Meeks	Sessions
Doggett	Harper	Merrill	Slate
Drake	Hawkins	Nabors	Snell
Edington	Heflin	Nettles	Steagall
Edwards (Escambia)	Hogan	Owens	Thomas
Edwards (Lowndes)	Ingram	Paulk	Tuck
Engel	Jones (Covington)	Perry	Turner (Crenshaw)
Etheredge	Little	Posey	Turner (Limestone)
Fite	Locke	Powell	Turnham
Gilmore	McCorquodale	Pruitt	Vacca
Glass	McDermott	Rogers	Young
Goldthwaite			

—77

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 31. Relating to justice of the peace courts in counties having populations of not less than 96,000 nor more than 106,000; to restore to or reconfer on certain justices of the peace and notaries public ex officio justices of the peace within such counties certain jurisdiction withdrawn and taken away from them by local acts.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burns the House concurred in and adopted the Senate amendment to the bill, H. 31, said Senate amendment being as follows:

Amend House Bill 31, as follows:

Substitute a comma for the period at the end of Section 1 thereof, and add the following:

"provided, however, that in no event shall any such justice of the peace or notary public ex officio justice of the peace have authority to issue any garnishment or attachment in any case until there has been a final judgment in such case".

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Burnham	Crawford	Glass
Albea	Burns	Daniel	Goldthwaite
Bailes	Camp	Davis	Goodwyn
Baker (DeKalb)	Campbell (Jackson)	Doggett	Grouby
Bassett	Campbell (Tuscaloosa)	Dominick	Hain
Bevill	Cantrell	Drake	Hannah
Blanton	Carr	Edington	Harper
Bolton	Casey	Edwards (Escambia)	Hawkins
Boston	Cates	Edwards (Lowndes)	Heflin
Powers	Collins	Engel	Hogan
Branyon	Cook	Etheredge	Ingram
Brown (Jefferson)	Cooper	Fite	Jones (Covington)
Brown (Tuscaloosa)	Cornett	Gilmore	Little

Locke	Nabors	Pruitt	Sullivan
McCorquodale	Nettles	Rogers	Tuck
McDermott	Owens	Salter	Turner (Grenshaw)
Mashburn	Paulk	Scurlock	Turner (Limestone)
Meade	Perry	Sessions	Turnham
Meeks	Posey	Steagall	Vacca
Merrill	Powell	Stembridge	Young
Moore			

—81

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Campbell (Tuscaloosa) the House concurred in and adopted the Senate amendment to the bill, H. 195, said Senate amendment being as follows:

AMENDMENT TO H. B. 195

In subsection a) of Section 3, after the words "duly authorized employees" insert " , or the board of registrars,"

Also in Section 8, strike out the words "for the purpose of preparing a list" and insert "for the purpose of preparing a registered voters list and preparing a list"

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Casey	Goodwyn	Owens
Albea	Cates	Grouby	Perry
Bailes	Cook	Hain	Posey
Baker (DeKalb)	Cooper	Hannah	Powell
Bassett	Cornett	Harper	Pruitt
Bevill	Crawford	Hawkins	Rast
Blanton	Daniel	Heflin	Rogers
Bolton	Davis	Hogan	Salter
Boston	Doggett	Jones (Covington)	Scurlock
Bowers	Drake	Little	Sessions
Branyon	Edington	Locke	Slate
Brown (Jefferson)	Edwards (Escambia)	McCorquodale	Steagall
Brown (Tuscaloosa)	Edwards (Lowndes)	McDermott	Stembridge
Burnham	Engel	Mashburn	Sullivan
Burns	Etheredge	Meade	Tuck
Camp	Faulk	Meeks	Turner (Grenshaw)
Campbell (Jackson)	Fite	Merrill	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	Moore	Turnham
Cantrell	Glass	Nabors	Vacca
Carr	Goldthwaite	Nettles	

—79

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 29. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the Town of Rainbow City, Etowah County, Alabama.

Also:

H. 30. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

Also:

H. 205. To regulate further the compensation and allowance of the sheriff of counties having a population of not less than 96,000 nor more than 106,000.

Also:

H. 207. To amend Act No. 190, H. 389, Regular Session 1961 (Acts 1961, p. 230), an act which regulates the compensation of members and clerks of jury commissions in counties having populations of not less than 96,000 nor more than 106,000.

Also:

H. 178. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burns the House concurred in and adopted the Senate amendment to the bill, H. 208, said Senate amendment being as follows:

Amend H. B. 208 by adding the phrase "class room" between the word "one" and the word "teacher" where they appear in next to the last line of Section 1.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Perry
Albea	Collins	Hain	Posey
Baker (DeKalb)	Cook	Hannah	Powell
Bassett	Cooper	Harper	Pruitt
Bevill	Cornett	Hawkins	Rast
Blanton	Crawford	Heflin	Rogers
Bolton	Daniel	Hogan	Salter
Boston	Davis	Jones (Covington)	Scurlock
Bowers	Doggett	Locke	Sessions
Branyon	Drake	McCorquodale	Slate
Brown (Jefferson)	Edington	McDermott	Steagall
Burnham	Edwards (Escambia)	Mashburn	Stembridge
Burns	Edwards (Lowndes)	Meade	Sullivan
Camp	Engel	Meeks	Tuck
Campbell (Jackson)	Fite	Moore	Turner (Grenshaw)
Campbell (Tuscaloosa)	Gilmore	Nabors	Turner (Limestone)
Cantrell	Glass	Nettles	Turnham
Carr	Goldthwaite	Owens	Vacca
Casey	Goodwyn	Paulk	

—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House without engrossment:

By Mr. Hawkins:

S. 151. To apply in all counties having populations of not less than 96,000 nor more than 106,000; fixing the term of office of the county license inspector.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 151. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assessment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rast the House concurred in and adopted the Senate amendment to the bill, H. 261, said Senate amendment being as follows:

AMEND HOUSE BILL 261

Amend Section 2 of House Bill 261 by changing the word "may" in the 21st line of Section 82 to "shall"

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Collins	Grouby	Perry
Albea	Cook	Hain	Posey
Bassett	Cooper	Hannah	Powell
Bevill	Cornett	Harper	Pruitt
Blanton	Crawford	Hawkins	Rast
Bolton	Daniel	Heflin	Rogers
Boston	Davis	Hogan	Salter
Bowers	Doggett	Jones (Covington)	Scurlock
Branyon	Drake	Locke	Sessions
Brown (Jefferson)	Edington	McCorquodale	Slate
Brown (Tuscaloosa)	Edwards (Escambia)	McDermott	Steagall
Burns	Edwards (Lowndes)	Mashburn	Stembridge
Camp	Engel	Meade	Sullivan
Campbell (Jackson)	Etheredge	Meeks	Tuck
Campbell (Tuscaloosa)	Fields	Moore	Turner (Crenshaw)
Cantrell	Fite	Nabors	Turner (Limestone)
Carr	Gilmore	Nettles	Turnham
Casey	Glass	Owens	Vacca
Cates	Goldthwaite	Paulk	

—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House without engrossment:

By Mr. Reynolds:

S. 147. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings in counties having not less than 26,000 nor more than 27,000 population, according to the last or any subsequent decennial census.

Also:

By Mr. Cooper:

S. 153. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Also:

By Mr. Dumas:

S. 150. An Act to revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963 (Ala. Acts, 1963, page 963, et seq.)

Also:

By Mr. Cooper:

S. 154. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 147. Local Legislation No. 1.

S. 153. Local Legislation No. 1.

S. 150. Local Legislation No. 2.

S. 154. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 92. To provide that any city or town in the State having a commission form of government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for commissioners positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the Board of Commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by commissioners; to prohibit commissioners from holding other public offices; to prohibit any commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the board; to provide for the salaries of commissioners and other disbursements of the municipality; to provide that meetings of the Board of Commissioners shall be open to the public; to provide a manner for changing the form of government of the municipality; to provide for the presentation of a petition calling for the resignation of a commissioner, and to establish requirements for the signing thereof; to provide a fee for the Judge of Probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a commissioner and for the election of his successor; and to state the method for ascertaining qualified voters in municipalities situated in more than one county.

Also:

H. 18. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

Also:

H. 25. To apply only in counties having populations of not less than 28,000 nor more than 30,575, authorizing such counties to make certain temporary loans.

Also:

H. 35. Relating to counties having a population of not less than 21,988 nor more than 22,000; and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such a salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Also:

H. 163. To apply in counties having populations of not less than 14,400 nor more than 14,900, providing expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body.

Also:

H. 188. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 130,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit, but shall be payable from the benefits secured for, or on behalf of the persons for whose benefit any such suit was successfully prosecuted; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

Also:

H. 194. To apply only in counties of the state having populations of not less than 100,000 nor more than 115,000; to further regulate the taking of fish from public streams and impounded waters.

Also:

H. 196. Relating to counties having a population of not less than 100,000 and not more than 115,000 inhabitants according to the latest or any succeeding Federal decennial census and providing for and further regulating the operation of child care in institutions in such counties.

Also:

H. 199. To provide that housing authorities incorporated under the statutes contained in the Code of Alabama 1940 in counties of not less than 150,000 inhabitants and not more than 300,000 inhabitants according to the last United States Census; where the employees of said housing authorities are subject to the provisions of a merit system; that said housing authorities in said counties acting by resolution of their Board of Commissioners are authorized to enter into a contract for the

services of a director and assistant director and fix the compensation of same; said director and assistant director shall act as liaison personnel between the cities, the Regional Director and shall negotiate with citizens affected by the overall plan of Urban Redevelopment and such other duties as may be provided in said contract, in order to expedite and implement Title I of the Federal Housing Act of 1949, as amended. Said contract shall be approved by the Regional Director.

Also:

H. 164. Relating to counties having populations of not less than 14,400 nor more than 14,900; fixing the compensation of the coroner.

Also:

H. 165. To apply in counties having populations of not less than 14,500 nor more than 14,900: regulating the compensation of the county superintendent of education.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 230. Providing for appointment of members of county boards of equalization in counties having populations of not less than 150,000 nor more than 300,000; amending further Code of Alabama Title 51, Section 89.

Also:

H. 227. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Also:

H. 228. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Also:

H. 229. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Also:

H. 231. Providing for the appointment, tenure, compensation, powers and duties of license inspectors in counties having populations of not less than 150,000 nor more than 300,000.

Also:

H. 232. Relating to the appointment, tenure, and compensation of registrars in counties having populations of not less than 150,000 nor more than 300,000

Also:

H. 238. To apply in all counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for branch banking in such counties.

Also:

H. 240. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of the coroner in such counties, providing for a salary payable by the county in lieu of fees and allowances.

Also:

H. 241. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of jurors.

Also:

H. 242. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Also:

H. 243. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Also:

H. 245. Relating to counties having populations of not less than 76,000 nor more than 96,000; providing for the appointment of deputies sheriff; and fixing their salaries.

Also:

H. 246. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 76,000 nor more than 96,000.

Also:

H. 252. Relating to counties having populations of not less than 300,000 nor more than 500,000; to authorize the county governing body of any such county to make available to the sheriff an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

Also:

H. 254. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Also:

H. 255. Relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff.

Also:

H. 263. Relating to counties having a population of not less than 76,000 nor more than 96,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burns the House concurred in and adopted the Senate amendment to the bill, H. 209, said Senate amendment being as follows:

Amend H. B. 209 by inserting the word "class room" before the word "teacher" where ever said word "teacher" appears in said bill.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Paulk
Albea	Cornett	Harper	Perry
Bassett	Crawford	Hawkins	Powell
Bevill	Daniel	Heflin	Pruitt
Blanton	Davis	Hogan	Rast
Bolton	Doggett	Ingram	Rogers
Brown (Jefferson)	Drake	Jones (Covington)	Salter
Brown (Tuscaloosa)	Edington	Little	Scurlock
Burns	Edwards (Escambia)	Locke	Sessions
Camp	Engel	McCorquodale	Snell
Campbell (Jackson)	Etheredge	McDermott	Steagall
Campbell (Tuscaloosa)	Fields	Mashburn	Stembridge
Cantrell	Fite	Meade	Tuck
Carr	Glass	Moore	Turner (Crenshaw)
Cates	Goldthwaite	Nabors	Turner (Limestone)
Collins	Grouby	Nettles	Turnham
Cook	Hain	Owens	Vacca

—68

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burns the House concurred in and adopted the Senate substitute for the bill, H. 203, said Senate substitute being as follows:

SUBSTITUTE FOR H. B. 203

A BILL TO BE ENTITLED AN ACT

Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in counties having populations of not less than 96,000 nor more than 106,000, according to the last or any succeeding federal decennial census.

Section 2. In all such counties, the board of registrars shall meet on Monday of each week for three consecutive days, legal holidays excepted, and shall register voters during such days, except when required by law to perform other official duties on such days.

Section 3. All laws or parts of laws which conflict with this Act are repealed to the extend of the conflict.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Cook	Hain	Perry
Albea	Cooper	Harper	Pierce
Baker (DeKalb)	Cornett	Hawkins	Powell
Bassett	Crawford	Heflin	Pruitt
Bevill	Daniel	Hogan	Rast
Blanton	Davis	Ingram	Rogers
Bolton	Doggett	Jones (Covington)	Salter
Brown (Jefferson)	Drake	Little	Scurlock
Brown (Tuscaloosa)	Edington	Locke	Sessions
Burns	Edwards (Escambia)	McCorquodale	Snell
Camp	Engel	McDermott	Steagall
Campbell (Jackson)	Etheredge	Meade	Stembridge
Campbell (Tuscaloosa)	Fields	Moore	Tuck
Cantrell	Fite	Nabors	Turner (Crenshaw)
Carr	Glass	Nettles	Turner (Limestone)
Cates	Goldthwaite	Owens	Vacca
Collins	Grouby	Paulk	

BILLS ON THIRD READING RESUMED

H. 210. To amend Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to authorize any relative of a child to appoint by his last will and testament the mother or father as guardian; and giving the amendment retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cook	Heflin	Pruitt
Albea	Cooper	Jones (Covington)	Rast
Baker (DeKalb)	Crawford	Little	Rogers
Bassett	Daniel	Locke	Salter
Bevill	Dominick	McCorquodale	Scurlock
Blanton	Drake	McDermott	Sessions
Bolton	Edgington	Mashburn	Slate
Boston	Edwards (Escambia)	Meade	Snell
Branyon	Edwards (Lowndes)	Moore	Steagall
Brown (Jefferson)	Engel	Nabors	Stembridge
Burns	Etheredge	Nettles	Thomas
Camp	Fields	Owens	Tuck
Campbell (Jackson)	Fite	Paulk	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Perry	Turner (Limestone)
Cantrell	Grouby	Posey	Turnham
Carr	Hain	Powell	Vacca
Casey	Harper		

—66

And the bill:

S. 77. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Was read a third time at length and passed.

Yeas 65; Nays 5.

Yeas:

Mr. Speaker	Collins	Hain	Posey
Albea	Cook	Harper	Powell
Avery	Cooper	Heflin	Pruitt
Baker (DeKalb)	Cornett	Hogan	Rogers
Bassett	Crawford	Jones (Covington)	Salter
Bevill	Daniel	Little	Scurlock
Blanton	Doggett	Locke	Sessions
Bolton	Drake	McCorquodale	Slate
Boston	Edwards (Escambia)	McDermott	Snell
Brown (Jefferson)	Edwards (Lowndes)	Merrill	Steagall
Burnham	Engel	Moore	Stembridge
Burns	Fields	Nabors	Thomas
Camp	Gilmore	Owens	Tuck
Cantrell	Glass	Paulk	Turner (Crenshaw)
Carr	Goldthwaite	Perry	Turnham
Casey	Grouby	Pierce	Vacca
Cates			

—65

Nays:

Messrs.	Campbell (Jackson)	Fite	Mashburn	—5
Branyon	Campbell (Tuscaloosa)			

And the bill:

S. 58. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harper	Powell
Albea	Crawford	Hawkins	Pruitt
Baker (DeKalb)	Daniel	Heflin	Rast
Bassett	Davis	Hogan	Rogers
Bevill	Doggett	Jones (Covington)	Salter
Blanton	Drake	Little	Scurlock
Bolton	Edington	McCorquodale	Sessions
Boston	Edwards (Escambia)	McDermott	Slate
Branyon	Edwards (Lowndes)	Mashburn	Smith
Burns	Engel	Meeks	Snell
Camp	Etheredge	Merrill	Steagall
Campbell (Jackson)	Fields	Moore	Stembridge
Cantrell	Fite	Nabors	Thomas
Carr	Gilmore	Nettles	Tuck
Casey	Glass	Owens	Turner (Crenshaw)
Cates	Goldthwaite	Paulk	Turner (Limestone)
Collins	Goodwyn	Perry	Turnham
Cook	Grouby	Pierce	Vacca
Cooper	Hain	Posey	

—75

And the bill:

S. 59. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Branyon	Crawford	Fields
Albea	Brown (Jefferson)	Daniel	Fite
Avery	Camp	Davis	Gilmore
Baker (DeKalb)	Campbell (Tuscaloosa)	Doggett	Glass
Bassett	Cantrell	Dominick	Goldthwaite
Bethea (B)	Carr	Drake	Goodwyn
Bevill	Casey	Edington	Grouby
Blanton	Cates	Edwards (Escambia)	Hain
Bolton	Collins	Edwards (Lowndes)	Harper
Boston	Cook	Engel	Hawkins
Bowers	Cooper	Etheredge	Heflin

Hogan	Merrill	Powell	Steagall
Jones (Covington)	Moore	Pruitt	Stembridge
Jones (Monroe)	Nabors	Rast	Thomas
Little	Nettles	Rogers	Tuck
McCorquodale	Owens	Salter	Turner (Crenshaw)
McDermott	Paulk	Scurlock	Turner (Limestone)
Mashburn	Perry	Slate	Turnham
Meade	Pierce	Snell	Vacca
Meeks	Posey		

—78

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 187. Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County.

Also:

H. 214. Relating to counties having a population of not less than 100,000 nor more than 115,000 according to the latest or any succeeding Federal census and amending Title 49, Section 64 of the Code of Alabama of 1940 as the same applies to such counties.

Also:

H. 118. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

Also:

H. 202. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

Also:

H. 253. To apply in counties having populations of not less than 300,000 nor more than 500,000; providing for assistants and deputies of the sheriff, regulating and providing for payment of their compensation.

Also:

H. 262. To provide for a Chief Bailiff of the Circuit Court of any County having a population of not less than 76,000 nor more than 96,000, and to further provide for the appointment, tenure of office, and compensation of such Chief Bailiff.

Also:

H. 234. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Also:

H. 235. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Also:

H. 100. Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

Also:

H. 139. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Amendment CXCV to the Constitution of Alabama providing for the levy and collection by Mobile County of a special tax, not exceeding six mills on each dollar of taxable property in the County, for public hospital purposes.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 5.

Yeas:

Mr. Speaker	Cornett	Hawkins	Perry
Albea	Crawford	Heflin	Pierce
Avery	Daniel	Hogan	Posey
Baker (DeKalb)	Doggett	Ingram	Rast
Bassett	Dominick	Jones (Covington)	Rogers
Bethea (B)	Drake	Jones (Monroe)	Salter
Bevill	Edgington	Little	Scurlock
Blanton	Edwards (Escambia)	Locke	Sessions
Bolton	Edwards (Lowndes)	McCorquodale	Snell
Boston	Engel	McDermott	Steagall
Bowers	Etheredge	Mashburn	Stembridge
Brown (Jefferson)	Fields	Meade	Sullivan
Burns	Fite	Meeks	Thomas
Campbell (Tuscaloosa)	Gilmore	Moore	Tuck
Cantrell	Glass	Morrow	Turner (Crenshaw)
Carr	Goldthwaite	Nabors	Turner (Limestone)
Casey	Goodwyn	Nettles	Turnham
Collins	Hain	Owens	Vacca
Cook	Harper	Paulk	Young
Cooper			

Nays:

Messrs. Branyon	Camp Campbell (Jackson)	Cates	Slate	—5
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UNANIMOUS CONSENT GRANTED

Mr. Collins requested unanimous consent to add his name as a co-author of the bill, H. 84, and it was so granted.

And the bill:

S. 68. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Was read a third time at length and passed.

Yeas 56; Nays 13.

Yeas:

Mr. Speaker	Cooper	Heflin	Powell
Avery	Daniel	Hogan	Rast
Baker (Unaid)	Davis	Jones (Covington)	Rogers
Bassett	Doggett	Jones (Monroe)	Salter
Bevill	Edington	McDermott	Sessions
Blanton	Edwards (Escambia)	Mashburn	Smith
Boston	Edwards (Lowndes)	Meade	Steagall
Branyon	Engel	Moore	Stembridge
Burns	Fields	Nabors	Sullivan
Campbell (Jackson)	Fite	Nettles	Thomas
Campbell (Tuscaloosa)	Glass	Owens	Tuck
Cantrell	Goodwyn	Paulk	Turner (Crenshaw)
Collins	Grouby	Pierce	Turnham
Cook	Harper	Posey	Young

—56

Nays:

Messrs.	Casey	Little	Perry
Bethea (B)	Goldthwaite	Locke	Snell
Bolton	Hawkins	Morrow	Turner (Limestone)
Camp	Ingram		

—13

S. 53 INDEFINITELY POSTPONED

On motion of Mr. Brown (Jefferson), the bill, S. 53, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

S. 78. To make an appropriation to the use of the White House Association.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cook	Hawkins	Pierce
Albea	Cooper	Heflin	Rosey
Avery	Cornett	Hogan	Powell
Bailes	Crawford	Ingram	Rast
Baker (DeKalb)	Daniel	Jones (Covington)	Rogers
Bassett	Davis	Jones (Monroe)	Saiter
Bethea (B)	Doggett	Little	Scurlock
Bevill	Dominick	Locke	Sessions
Blanton	Edington	McCorquodale	Slate
Bolton	Edwards (Escambia)	McDermott	Snell
Boston	Edwards (Lowndes)	Mashburn	Steagall
Bowers	Engel	Meade	Stembridge
Branyon	Etheredge	Meeks	Sullivan
Brown (Jefferson)	Fields	Moore	Thomas
Burns	Fite	Morrow	Tuck
Camp	Gilmore	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Glass	Nettles	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Owens	Turnham
Cantrell	Hain	Paulk	Vacca
Casey	Hannah	Perry	Young
Collins	Harper		

—82

And the bill:

S. 92 (with amendment). To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT TO S. B. 92

Amend S. B. 92, Section 3, by striking therefrom the following words and figures:

"Their salaries shall be fixed by the Governor but the salary of the Executive Director shall not exceed \$8,500 a year and the salary of his Confidential Secretary shall not exceed \$7,000 a year."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Bowers	Crawford	Glass
Albea	Branyon	Daniel	Goldthwaite
Avery	Brown (Jefferson)	Davis	Grouby
Baker (DeKalb)	Burns	Doggett	Hain
Bassett	Camp	Edington	Hannah
Bethea (B)	Campbell (Jackson)	Edwards (Escambia)	Harper
Bevill	Campbell (Tuscaloosa)	Edwards (Lowndes)	Hawkins
Blanton	Cantrell	Engel	Heflin
Bolton	Casey	Fields	Hogan
Boston	Cook	Fite	Ingram

Jones (Covington)	Nabors	Salter	Sullivan
Jones (Monroe)	Nettles	Scurlock	Thomas
Little	Paulk	Sessions	Tuck
Locke	Perry	Slate	Turner (Crenshaw)
McCorquodale	Pierce	Smith	Turner (Limestone)
McDermott	Posey	Snell	Turnham
Meade	Powell	Steagall	Vacca
Meeks	Rast	Stembridge	Young
Moore	Rogers		

—74

And said bill, S. 92, as thus amended, was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crawford	Heflin	Posey
Albea	Daniel	Hogan	Powell
Avery	Davis	Ingram	Rast
Baker (DeKalb)	Doggett	Jones (Covington)	Rogers
Bassett	Dominick	Jones (Monroe)	Salter
Bethea (B)	Edington	Little	Sessions
Bevill	Edwards (Escambia)	Locke	Slate
Blanton	Edwards (Lowndes)	McCorquodale	Smith
Bolton	Engel	McDermott	Snell
Boston	Fields	Meade	Steagall
Bowers	Fite	Meeks	Stembridge
Brown (Jefferson)	Gilmore	Moore	Sullivan
Burns	Glass	Morrow	Thomas
Camp	Goldthwaite	Nabors	Tuck
Campbell (Jackson)	Goodwyn	Nettles	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Owens	Turner (Limestone)
Cantrell	Hain	Paulk	Turnham
Casey	Hannah	Perry	Vacca
Cook	Harper	Pierce	Young
Cooper	Hawkins		

—78

And the bill:

S. 133. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may

be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cornett	Heflin	Posey
Albea	Crawford	Hogan	Powell
Avery	Daniel	Ingram	Pruitt
Baker (DeKalb)	Davis	Jones (Covington)	Rogers
Bassett	Doggett	Jones (Monroe)	Salter
Bevill	Dominick	Little	Sessions
Blanton	Edington	Locke	Slate
Bolton	Edwards (Escambia)	McCorquodale	Smith
Boston	Engel	McDermott	Snell
Bowers	Fields	Mashburn	Steagall
Branyon	Fite	Meade	Stembridge
Brown (Jefferson)	Gilmore	Meeks	Sullivan
Burns	Glass	Moore	Thomas
Camp	Goldthwaite	Nabors	Tuck
Campbell (Jackson)	Grouby	Nettles	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hain	Owens	Turner (Limestone)
Cantrell	Hannah	Paulk	Turnham
Carr	Harper	Perry	Vacca
Casey	Hawkins	Pierce	Young
Cooper			

—77

And the bill:

S. 86. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cates	Hawkins	Pierce
Albea	Cook	Heflin	Posey
Avery	Cooper	Hogan	Powell
Baker (DeKalb)	Cornett	Ingram	Pruitt
Bassett	Crawford	Jones (Covington)	Rast
Bethea (B)	Daniel	Jones (Monroe)	Rogers
Bethea (M)	Davis	Little	Salter
Bevill	Doggett	Locke	Sessions
Blanton	Edington	McCorquodale	Slate
Bolton	Edwards (Escambia)	McDermott	Smith
Boston	Edwards (Lowndes)	Mashburn	Snell
Bowers	Engel	Meade	Steagall
Branyon	Fields	Meeks	Stembridge
Brown (Jefferson)	Fite	Moore	Sullivan
Burns	Gilmore	Morrow	Tuck
Camp	Glass	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	Nettles	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Owens	Turnham
Cantrell	Hain	Paulk	Vacca
Carr	Hannah	Perry	Young
Casey	Harper		

—82

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers the House concurred in and adopted the Senate amendment to the bill, H. 115, said Senate amendment being as follows:

AMENDMENT TO H. B. 115

In Section 4, strike out the words and figures "and may be held at the same time as other elections, or at any other time." and insert "but shall be held only at the same time as some other election is being held within the county."

Also, in Section 7, strike out "upon its passage and approval by the Governor or its otherwise becoming a law" and insert "Dec. 1, 1964."

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hogan	Posey
Albea	Cornett	Ingram	Pruitt
Baker (DeKalb)	Crawford	Jones (Covington)	Rast
Bassett	Daniel	Jones (Monroe)	Rogers
Bevill	Davis	Little	Salter
Blanton	Doggett	Locke	Scurlock
Bolton	Edwards (Escambia)	McCorquodale	Sessions
Boston	Engel	McDermott	Slate
Bowers	Etheredge	Meeks	Smith
Branyon	Fite	Moore	Snell
Brown (Jefferson)	Gilmore	Morrow	Steagall
Camp	Glass	Nabors	Stembridge
Campbell (Jackson)	Goldthwaite	Nettles	Tuck
Campbell (Tuscaloosa)	Grouby	Owens	Turner (Crenshaw)
Cantrell	Hannah	Paulk	Turner (Limestone)
Carr	Harper	Perry	Turnham
Cates	Hawkins	Pierce	Vacca
Cook	Heflin		

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the bill, H. 258, said Senate amendment being as follows:

AMENDMENT TO H. B. 258

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Posey
Albea	Crawford	Heflin	Pruitt
Baker (DeKalb)	Daniel	Hogan	Rast
Bassett	Davis	Ingram	Rogers
Bevill	Doggett	Jones (Covington)	Salter
Blanton	Drake	Jones (Monroe)	Scurlock
Bolton	Edington	Locke	Sessions
Boston	Edwards (Escambia)	McCorquodale	Slate
Bowers	Engel	McDermott	Smith
Branyon	Etheredge	Meeks	Snell
Brown (Jefferson)	Fields	Nabors	Steagall
Camp	Fite	NeSmith	Stembridge
Campbell (Jackson)	Gilmore	Nettles	Tuck
Campbell (Tuscaloosa)	Glass	Owens	Turner (Crenshaw)
Cantrell	Goldthwaite	Paulk	Turner (Limestone)
Carr	Grouby	Perry	Turnham
Cook	Hannah	Pierce	Vacca
Cooper	Harper		

—70

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Tyson:

S. 152. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the re-

tirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a Bill substantially as follows will be introduced in the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a Pension and Relief system for the regularly organized and paid members of the police and fire departments of the City of Mobile, which shall be supported, maintained and managed as hereinafter provided.

Section 2. There shall be a special fund in the treasury of the City of Mobile to be designated the Policemen's and Fire Fighter's Pension and Relief Fund which shall be set apart by the comptroller or other person performing the duties of Treasurer of the City of Mobile, and shall be held and maintained as other city funds are held and maintained except as is hereinafter provided.

Section 3. There shall be paid into such Fund, out of the treasury of the City of Mobile, an amount equal to five per cent of the amount of all fines and moneys, except costs of court, paid as a result of prosecutions for violations of ordinances or laws of the City of Mobile, which sums shall be determined and credited to the fund on a monthly basis; two per cent of the monthly salary of every member of the police and fire departments shall be deducted by the proper authority from the monthly salaries of said members of such departments and shall be transferred to the Fund monthly with record kept showing amount credited to each said member; two per cent of the monthly salary of the members of such departments which shall be contributed by the City of Mobile and credited to such Fund monthly; that portion of the assessment that may be fixed by the governing body of the City and added as cost of court in connection with prosecutions for violations of the ordinances of the City of Mobile, provided that the assessment of such costs for this purpose shall not exceed \$3, shall be collected and credited monthly to the Fund; and the Fund shall be credited with any appropriations made by the City when at any time the Fund shall be insufficient to pay the benefits and defray the expenses as provided in this Act. The Board of Commissioners or other governing body of the City of Mobile

may appropriate from any funds not otherwise appropriated an amount sufficient to cover such deficiency and may in subsequent budgets provide an amount to cover any anticipated deficits in the Fund.

Section 4. The percentages paid into the City treasury as a result of convictions and prosecutions, court costs, and the sums representing matching payments by the City as provided by Section 3 of this Act are hereby charged with and appropriated to the Policemen's and Fire Fighter's Pension and Relief Fund and shall be so credited by the comptroller or another person performing the duties of Treasurer of the City of Mobile.

Section 5. (a) Moneys may be given or donated to said Fund by any person, firm or association or corporation for the uses and purposes for which said Fund is created, and said Board of Pensions may take by gift, grant, devise or bequests, any money, personal property, real estate or any interest therein or any right of property for the benefit of such Fund; and such gift, grant, devise or bequest may be absolute or in fee-simple or upon condition that only the rents, income and profits arising therefrom shall be applied to the purposes for which said Fund is created.

(b) Trustees may be appointed by the Board of Pensions for the purpose of receiving, holding or managing any property acquired under subsection (a) hereof, if not otherwise named by the instrument of gift or legacy, and for performing duties in connection with funds or properties under control of the board, and such Trustees shall serve subject to such restrictions and conditions as may be prescribed by the Board; provided, however, no salary shall be paid from the Pension and Relief Fund herein created to any person acting as such Trustee.

Section 6. (a) Each fire insurance company doing business in the City of Mobile shall, on or before the first day of February of each year, pay to the City of Mobile for credit to said Pension and Relief Fund, a sum equal to one-half of one per cent of the gross premiums, less returned premiums, received by such fire insurance companies, or their agents, doing business in the City of Mobile for and on account of business done by it during the preceding year; provided, however, that when said insurance companies pay to the City a sum equal to four per cent of its net premiums, such companies shall not be required to pay the amount herein provided to said Pension and Relief Fund.

(b) Each such insurance company shall on or before the due date of such payment file with the Board of Commissioners or like governing body of the City a statement or report in writing, showing the gross amount of premiums less returned premiums, received by such fire insurance company for and on account of business done by it in the City during the preceding year; which statement or report shall be sworn to by the agent of such fire insurance company in the City, or some other person having knowledge of the facts; and any such fire insurance company failing to make and file such report and statement as aforesaid, shall forfeit to the City of Mobile for use of the Policemen's and Fire Fighter's Pension and Relief Fund, the sum of one thousand dollars, to be recovered against such fire insurance company violating the provisions hereof, or its agents, by suit brought in the name of the City, and all such forfeitures and penalties shall be and become a part of the Policemen's and Fire Fighter's Pension and Relief Fund.

Section 7. The Board of City Commissioners, or other like governing body of the City, is hereby authorized and empowered to set apart and pay into the Pension and Relief Fund not exceeding one per cent of all revenues collected and received by the City from licenses, provided, however, that this section shall not be compulsory.

Section 8. The Board of Pensions hereinafter created is authorized to place in banks at interest and to invest such part of the fund as is not necessarily in use, but such investments shall be limited to United States bonds, state, municipal and county bonds of Alabama. All such securities, funds and moneys shall be maintained and kept separate and apart in special accounts set aside from other moneys and securities of the City, so that they shall at all times be subject to instant use.

Section 9. (a) The Board of Commissioners or other governing body of the City shall create a Board to carry out the provisions of this Act, which shall be designated "The Board of Policemen's and Fire Fighter's Pensions of the City of Mobile", hereinafter called "The Board." The Board shall consist of five reputable persons who are bona fide residents of the City of Mobile and over the age of twenty-one years, one to be an active member of the Mobile Police Department, and one to be an active member of the Mobile Fire Department. Members of the Board shall hold office for six years and until their successors are appointed, unless sooner removed at any time for good cause by the appointing authority. No member of the Board shall receive any compensation for this.

(b) The Board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Three members of the Board shall constitute a quorum for transaction of business.

(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings, which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section 22 hereof and shall perform such other duties as may be prescribed by the Board.

(e) The Chairman of the Board of Pensions shall provide bond in the penal sum of \$25,000 conditioned upon faithful performance of his duties, the premium of which shall be paid by the City of Mobile from the General Fund.

(f) All applications for pensions and relief under this Act shall be heard and determined by the Board of Pensions.

(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term.

Section 10. All warrants drawn against the fund shall be on order of the Chairman of the Board of Pensions and shall be signed as are other warrants signed and executed by authorized authorities of the City. However, such warrants shall be different in color, or otherwise, so as to distinguish them from other City warrants drawn by said City. No portion of said Policemen's and Fire Fighter's Pension and Relief Funds shall, before or after its order for distribution, be seized or held or in any wise subject to garnishment or levy of execution or attachment issued out of or by any court of this State, or any other State, so far as any debt, damage, demand, claim, judgment or decree against any beneficiary in such funds, but shall be exempt therefrom.

Section 11. Every member of such police and fire departments shall come under the provisions and benefits of this Act, but no member of the

Board of Commissioners or of other departments of the City shall be entitled to benefits hereunder.

Section 12. If any member of such police and fire department, while in the performance of his duties, becomes and is found to be temporarily totally disabled, mentally or physically, for services in such police or fire departments, by reason of service therein, the Board of Pensions shall order the payment and there shall be paid from the fund herein provided to such disabled member an amount equal to fifty per cent of his monthly salary, but not to exceed one hundred dollars per month, during such period of total disability. Provided, however, that such member during the period of disability is paid no salary as a member of the police or fire department or any other department of the city, and provided further that such payment shall not continue beyond one year from the date of the determination of temporary total disability. Such disability shall be determined by the Board of Pensions after report from the City Physician, and such other physicians and surgeons as the Board may consult, and after the consideration of any other evidence the Board may desire to consider.

Section 13. (a) If any member of the police or fire department while in the performance of his duty is found and determined to be physically or mentally permanently disabled for service by reason of such service so as to render his retirement necessary, the Board of Pensions shall make the necessary orders and shall retire such disabled member from service. Upon such retirement the member shall be paid monthly from the Fund, an amount equal to sixty per cent of his monthly salary, the payments to be made during such disability.

(b) Should any member of such police or fire department who has served in such department for a period of fifteen years be found to be physically or mentally permanently disabled (through no misconduct on his part) for service in such police or fire departments, so as to render his retirement from such service necessary, the Board of Pensions shall make the necessary order, and shall retire such disabled member from service and upon such retirement the member shall be paid monthly from the Policemen's and Fire Fighter's Pension and Relief Fund an amount equal to fifty per cent of his monthly salary. Such members under subsection (a) and (b) herein may be called back and examined at any time under the orders of the Board of Pensions, and may be ordered back to active service, or to perform other services in connection with the City, such as he is able to perform, according to the instructions, findings and orders of the Board. While in active service, such pension will not be paid.

Section 14. Any member or former member of the police or fire department who has been in the service thereof for as long as twenty consecutive years, upon making written application to the Board of Pensions therefor, shall, without medical examination or disability, be retired from service in such police or fire department; and, upon such retirement, the said Board of Pensions shall direct the payment to such retired member monthly from the Fund herein created a sum equal to fifty per cent of the monthly compensation or salary received by such member as salary in such fire or police department at the time of his retirement; provided, however, that said payments to said retired member of the police or fire department shall not commence or be effective earlier than the fifty-fifth birthday of the member.

Section 15. (a) Any member or former member of such police or fire department who has been in the service thereof for as long as twenty-five years, the last ten years of which have been continuous, upon making written application to the Board of Pensions shall, without medical examination or disability, be retired from service of such fire or

police department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-two and one half per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

(b) Any member of former member of such police or fire department who has been in the service thereof for as long as thirty years, the last ten years of which have been continuous, upon making written application to the Board of Pensions therefor, shall without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-five per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

(c) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty five years or longer, the last ten years of which have been continuous, upon making written application to the Board of Pensions thereof shall, without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty fifth birthday of such member, monthly from such Fund, a sum equal to sixty per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

Section 16. (a) Whenever an active or retired member of such police or fire department shall die, there shall be appropriated and paid from the Fund the sum of one hundred dollars for funeral and burial expenses of such deceased member, which sum shall be used for funeral and burial expenses and paid out upon order of the Pension Board to the person or persons designated by the Chief of Police, if decedent was a member of the Police Department, or the Chief of the Fire Department, if decedent was a member of the Fire Department.

(b) Whenever a member of the police or fire department of the city shall die while an active employee thereof with fifteen years or more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, or whenever any member of the police or fire department, regardless of his or her length of service, shall die while on duty or dies before retirement as a result of injuries sustained while on duty, and in either event if such deceased employee shall leave a widow, such widow shall receive fifty per cent of the member's pension entitlement as determined on the date of death of the deceased, but not to exceed on hundred dollars (\$100.00) per month. The widow may receive such payments for the term of her life or until her remarriage, by establishing her eligibility (1) by proof of a bona fide marriage to the deceased consummated not less than one year prior to the date of death, if deceased was an active employee, or one year prior to transfer to the pension roll if deceased was a retired or disabled employee. For the purpose of this Act, proof of a common law marriage shall not be considered a bona fide marriage) (2) upon proof that the claimant and the deceased were living together as man and wife on the date of the death of deceased and had been so living for at least one year prior to the date of his death; and (3) upon supplying such annual proof of continued eligibility as may be required by the Board for continued pension.

(c) Whenever a member of the Police or Fire Departments of the City shall die while an active employee thereof with fifteen years or

more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, or whenever any member of the Police or Fire Department, regardless of his or her length of service, shall die while on duty or dies before retirement as a result of injuries sustained while on duty, and in either event if such deceased employee shall leave no widow, but shall leave an unmarried child or children under the age of eighteen on the date of his death, such child or children shall receive the widow's benefit as herein provided not to exceed one hundred dollars (\$100.00) per month, which payments shall be made through a guardian until the youngest child reaches the age of eighteen, or is married.

(d) Whenever the employment of a member of the Police or Fire Department of the City shall be terminated by death or for any other reason before eligibility for benefits has been established, the contribution of such employee to the Fund shall be refunded in lump sum without interest to the employee, his widow or children, a named beneficiary, or to his estate, as the case may be. Prior service of an employee rehired after termination and refund as herein provided shall not count toward future retirement.

Section 17. In all matters involving the disability or sickness of members of the Police or Fire Department, the Board of Pensions may cause such disabled or sick member to be examined by the City Physician, and such other reputable physicians or surgeons as it may select, who shall report to the Board in writing the result of such examination or examinations and it is hereby made the duty of the City Physician, when requested by the Board to make such examination and to report his findings as herein provided. Any member of the Police or Fire Department who refuses to allow such examinations as may be considered necessary by the Board shall, during the continuance of such refusal, be debarred from receiving any benefits whatever under this Act.

Section 18. Members of the Police and Fire Departments of the City of Mobile who shall receive the benefits of this Act shall continue to receive such benefits only during the period of their eligibility thereof, and shall submit annually and at such other times as ordered by the Board such statements or other evidence of eligibility as may be required by the Board.

Section 19. Should the Pension and Relief Fund at any time be insufficient or inadequate to pay pensions to those properly entitled to receive same, the person or persons so entitled to payments shall not file suit for payment thereof but the Board of Pensions shall have absolute discretion as to what portion of the pension shall be paid, and when there are several persons entitled to payments, and the funds are insufficient to pay them in full, the Board of Pensions shall prorate the available amount to the respective claimants. However, at no time shall the payments exceed the limits fixed in this act.

Section 20. There shall be kept by the Secretary of the Board of Pensions a book in which shall be maintained a list of retired policemen and fire fighters. Such book shall also give a full and complete history and record of the action of the said Board in retiring any and all persons under this Act and shall show the names, date of entering service in such police or fire departments, periods of employment, date of retirement and the reason for such retirement and such other information as the Board may require, including written requests from members desiring retirement.

Section 21. It shall be the duty of the City Attorney of Mobile to give advice to the Board of Pensions in all matters pertaining to the duties of the Board and the management of the Pension and Relief Fund,

whenever requested to do so, and shall represent and defend the Board as its attorney in all suits and actions at law or in equity that may be brought against it or the City of Mobile in connection with its duties, and during all suits and actions in its behalf that may be required or determined upon by the Board.

Section 22. Any member of the Police or Fire Department of the City of Mobile may elect at any time not to come within the provisions of this Act, and shall he so elect, no part of his salary shall be deducted for the Pension and Relief Fund. His election must be in writing, signed by him, and filed with the Board of Pensions. Thereafter, he shall not be allowed to come within the provisions or be entitled to the benefits of this Act, unless he first makes application to the Board of Pensions, and such Board may use its discretion in the premises, but said persons shall not be credited for services in the Police or Fire Departments for the time during which he was not bound by the provisions of this Act.

Section 23. In case of any dispute arising out of this Act or any of its provisions or on any decision relating to application for benefits, the decision of the Board of Pensions shall be final. In no event shall any suit be filed against the Board of Pensions, any of its members or the Board of Commissioners or other governing authority of the City, for the recovery of any pension or to enforce any of the provisions of this Act. However, should any suit be brought on behalf of the City or the Board of Pensions, it shall be brought in the name of the City of Mobile, and not in the name of the Board of Pensions.

Section 24. All powers, duties and responsibilities related to the establishment and administration of a pension and relief system for policemen or firemen for the City of Mobile which have heretofore been exercised by the Board of Commissioners or any other board or agency of the City of Mobile for the purpose of administering such system, created under authority of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350), shall be vested in the Board of Pensions herein created and established; all funds, books, records, supplies and equipment and all other assets of any kind or nature created and used in the administration of such former pension and relief system shall be transferred to and administered by the Board of Pensions herein created; and all accrued rights and liabilities under any former pension and relief system for policemen and firemen of the City shall be retained and preserved and all obligations and duties under such former system shall be fully performed in the same manner and to the same extent by the Board of Pensions created by this Act as they would have been performed by any authority replaced by the board of pensions.

Section 25. All laws and parts of laws and specifically that part of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350) in conflict with this Act are repealed.

Section 26. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 27. This Act shall take effect October 1, 1964 and shall not have retroactive application.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 28, Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 152. Local Legislation No. 3.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. J. R. 25. Relative to approving maximum speed limits on all 4-lane highways.

Also:

H. 95. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Also:

H. 97. To apply only in counties having populations of not less than 13,700 nor more than 14,300, relative to closing the office of officials in the courthouse.

Also:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for unincorporated property annexed to municipalities in such counties, and in newly incorporated areas.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Goodwyn:

H. J. R. 44. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses ad-

journal today they adjourn to meet again on Wednesday, August 26, 1964, and when they adjourn on Wednesday, August 26, 1964, they adjourn to meet on Friday, August 28, 1964, and when they adjourn on August 28, 1964, they adjourn sine die.

On motion of Mr. Goodwyn the rules were suspended and H. J. R. 44 was adopted.

Also:

By Mr. Edington:

H. J. R. 45. WHEREAS the Alabama State Legislature is privileged to have among its members a woman Legislator, the lady from Mobile, Mrs. Clara Stone Fields; and

WHEREAS said lady is a member of the Order of Women Legislators, a nationally recognized organization which is holding its national convention in the month of November of 1964 in Puerto Rico; and

WHEREAS it is to the best interest of the State of Alabama that it be properly represented at this convention;

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the lady from Mobile, Mrs. Clara Stone Fields, be appointed Alabama's delegate to such convention, that \$350.00 be appropriated for her expenses from the funds of the Legislature, and that she be directed to report to the next Regular Session of this body the accomplishments of said national convention.

On motion of Mr. Edington the rules were suspended and H. J. R. 45 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 17. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bassett the House concurred in and adopted the Senate substitute for the bill, H. 17, said Senate substitute being as follows:

SUBSTITUTE FOR H. B. 17

A BILL TO BE ENTITLED AN ACT

To authorize and provide for additional circuit court judges in the 12th and 16th judicial circuits, and to prescribe the qualifications, compensation, powers, duties, and authority of such judges.

Be It Enacted by the Legislature of Alabama:

Section 1. When an additional judge is appointed to take office as herein provided, there shall be two judges of the twelfth judicial circuit. The additional judge of the twelfth judicial circuit shall be appointed by the Governor within 30 days after the passage and approval of this Act; his term of office shall begin on the first day of the month after he is appointed and qualified, and he shall hold office for a term to expire at the next general election of any state officer held more than six months after the effective date hereof. His successor shall be elected at the next general election of any state officer held more than six months after the effective date of this section to hold office until the expiration of the term of office of the other judge of the twelfth judicial circuit. His successor shall be elected at the next general election of circuit judges and every six years thereafter, for the same term of office as the other judge of the twelfth judicial circuit.

Section 2. The present judge of the twelfth judicial circuit shall be known and designated Circuit Judge, Place No. 1, and said additional judge hereby authorized shall be known and designated Circuit Judge, Place No. 2, of the twelfth judicial circuit. Said additional judge of the twelfth judicial circuit shall have and exercise all the jurisdiction, powers, rights, and authority and shall possess all the qualifications and may perform all the duties the other circuit judges of the State of Alabama may exercise, shall possess or may perform, except as herein expressly limited; and he shall be liable to all the pains and penalties of the other circuit judges of this state.

Section 3. In addition to the duties imposed on him by law, the additional circuit judge of the twelfth judicial circuit shall also be ex officio judge of all juvenile and domestic relations courts in the twelfth judicial circuit, and shall exclusively have and exercise all the powers and authority now possessed, or which may hereafter be conferred upon the judge of such juvenile and domestic relations courts. Appeals to the circuit court from the judgments or orders of any other court in said circuit exercising juvenile or domestic relations jurisdiction shall be assigned to and be heard and determined by Circuit Judge, Place No. 1, and said Circuit Judge, Place No. 2, shall not hear or determine any such appeals.

Section 4. Circuit Judge, Place No. 2, of the twelfth judicial circuit shall be entitled to the same salary, including and supplemental salary and/or expenses paid by any county in said circuit, to be paid in the same manner and from the same sources, as the other judge of the twelfth judicial circuit.

Section 5. Nothing in this Act shall be construed to diminish or limit the jurisdiction, powers, rights and authority of Circuit Judge, Place No. 1, of the twelfth judicial circuit of Alabama.

Section 6. There is also created an additional judgeship for the sixteenth judicial circuit. The additional judge shall be appointed for the circuit by the Governor, within 10 days after the effective date of this section; he shall hold office until his successor is elected and qualified as provided in Article VI, Sections 158 and 159, Constitution of Alabama 1901. The judge to fill the additional judgeship shall be elected thereafter as are other circuit judges in this state. The judge elected or appointed as provided herein shall have and shall exercise all the jurisdiction, power, rights and authority, shall possess all of the qualifications, shall perform all of the duties required, and shall be subject to all the pains and penalties of such office as other judges in the same circuit. The compensation and allowances of such additional judge shall be paid in the same amount and under the same terms and in the same way as that of other judges in the sixteenth judicial circuit.

Section 7. The additional judge of the sixteenth judicial circuit provided for in this Act may appoint a bailiff and a court reporter whose qualifications, powers, duties, and authority shall be the same as such other bailiffs and reporters of the circuit court and whose compensation shall be paid in the same amount and under the same terms and in the same way as other bailiffs and reporters of the sixteenth judicial circuit.

Section 8. If any section, clause or provision of this Act shall be declared to be unconstitutional, the same shall not be held to affect any other section, clause or provision; but the same shall remain in full force and effect.

Section 9. All laws and parts of laws, either general, local or special, in conflict with the provisions of this Act are hereby repealed.

Section 10. Sections 6 and 7 of this Act shall become effective November 15, 1964, and the remainder of the Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Hannah	Perry
Albea	Cantrell	Harper	Pierce
Avery	Carr	Hawkins	Powell
Bailes	Casey	Heflin	Rast
Baker (DeKalb)	Cook	Hogan	Rogers
Barnett	Cooper	Ingram	Salter
Bassett	Cornett	Jones (Monroe)	Sessions
Bethea (B)	Crawford	Locke	Slate
Blanton	Edington	McCorquodale	Smith
Bolton	Edwards (Escambia)	McDermott	Snell
Boston	Edwards (Lowndes)	Meade	Steagall
Bowers	Engel	Merrill	Stembridge
Brown (Tuscaloosa)	Fields	Moore	Sullivan
Burnham	Fite	Morrow	Thomas
Burns	Glass	Nabors	Tuck
Callahan	Goldthwaite	NeSmith	Turner (Crenshaw)
Camp	Grouby	Owens	Turnham
Campbell (Jackson)	Hain	Paulk	Vacca

—72

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 156. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

Also:

H. 159. To amend Section 19 of Act No. 108, H. 152, Regular Session, 1959, an act relating to the practice of chiropractic (Acts 1959, v. 1, p. 612).

Also:

H. 193. To make an appropriation to the State Board of Chiropractic Examiners for the fiscal year ending September 30, 1965.

Also:

H. 221. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 251. Relating to counties having populations of not less than 22,500 nor more than 24,550, authorizing an appropriation from county funds for certain purposes.

Also:

H. 184. Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue.

Also:

H. 190. Relating to the Municipality of Hartselle, in Morgan County, Alabama: to alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Also:

H. 191. Regulating further the office of circuit solicitor of the eighth judicial circuit of Alabama; amending Section 2 of Act No. 312, S. 215, Regular Session 1955 (Acts 1955, p. 710), relating to the solicitor's fund.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rogers the House non-concurred in the Senate substitute for the bill, H. 137, said Senate substitute being as follows:

SUBSTITUTE FOR H. B. 137

A BILL
TO BE ENTITLED
AN ACT

Relating to cities having populations of not less than 200,000 nor more than 300,000; providing civil service or merit system status for Chiefs of Police of such cities.

Be It Enacted by the Legislature of Alabama:

Section 1. The Chiefs of Police Departments in all cities having populations of not less than 200,000 nor more than 300,000, according to the most recent Federal Decennial Census, shall be included in the classified service of the city as provided by any civil service or merit system regulations governing the appointment, tenure, activities, department and compensation of other municipal employees within any such city. Provided, however, that any person holding such position at the time of this act's passage, who shall have held this position for at least one year prior to its enactment shall automatically be placed under civil service.

Section 2. All laws or parts of laws in conflict with this Act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon its enactment.

Yeas 59; Nays 3.

Yeas:

Mr. Speaker	Carr	Harper	Pierce
Albea	Casey	Heflin	Pruitt
Avery	Cook	Ingram	Rast
Baker (DeKalb)	Cooper	Jones (Covington)	Rogers
Barnett	Cornett	Jones (Monroe)	Salter
Bassett	Dominick	Little	Sessions
Bolton	Edwards (Escambia)	Locke	Snell
Boston	Edwards (Lowndes)	Meade	Steagall
Bowers	Engel	Meeks	Stembridge
Brown (Tuscaloosa)	Etheredge	Merrill	Sullivan
Burnham	Fite	Morrow	Thomas
Burns	Glass	Nabors	Tuck
Callahan	Goldthwaite	Owens	Turner (Crenshaw)
Camp	Grouby	Paulk	Vacca
Campbell (Jackson)	Hain	Perry	

—59

Nays:

Messrs.	Campbell (Tuscaloosa)	Hogan	McDermott
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—3

On motion of Mr. Rogers a Committee of Conference was requested on the disagreement of the two Houses on the Senate substitute for the bill, H. 137.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Engel, Hogan and Rogers.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Carter:

S. 148. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 148. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 145. To provide further for the certification and election of representatives in Congress by districts, repealing conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 145. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 244. Relating to the Seventh Judicial Circuit and the Sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill the House concurred in and adopted the Senate amendment to the bill, H. 244, said Senate amendment being as follows:

AMENDMENT TO H. B. 244

In the caption or title of the bill, strike out "and the Sixth Judicial Circuit"

Also, in Section 1, strike out "and the Sixth Judicial Circuit"

Also, in Section 4, Strike out "and the Sixth Judicial Circuit"

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cooper	Heflin	Nettles
Albea	Cornett	Hogan	Owens
Bassett	Daniel	Ingram	Paulk
Bethea (B)	Davis	Jones (Covington)	Perry
Bolton	Dominick	Jones (Monroe)	Pierce
Boston	Drake	Locke	Powell
Brown (Jefferson)	Edington	McCorquodale	Pruitt
Brown (Tuscaloosa)	Edwards (Escambia)	McDermott	Rogers
Burnham	Edwards (Lowndes)	Mashburn	Salter
Burns	Etheredge	Meade	Sessions
Camp	Fields	Meeks	Steagall
Campbell (Jackson)	Glass	Merrill	Stembridge
Campbell (Tuscaloosa)	Goldthwaite	Moore	Sullivan
Casey	Grouby	Morrow	Thomas
Collins	Hain	Nabors	Turner (Crenshaw)
Cock	Harper	NeSmith	Vacca

—64

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 236. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the Bill:

S. 92. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Dumas:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 54. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 106. To amend the title to and Sections 1 and 2 of Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

Also:

H. 107. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Roberts, James, Wilson, Bentley, Shelton, Cooper, Lolley, Gilchrist, Givhan, Tyson, Carter, Clark, Hammond, McDow, Allen, Horton, Hawkins, Robison (M), Evans, Robison (P), Mathews, McCain, Reynolds, Smith, Dumas, and Hornsby:

S. J. R. 16. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That we express deepest regret on learning of the disability of our esteemed, distinguished, and genial colleague, the Senator from Houston, and send him warm personal regards and best wishes for a speedy and complete recovery. We sincerely hope he soon will be able to return to duty. His absence from the Senate deprives the State of one of its most able, competent and beloved legislative leaders.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Stembridge the rules were suspended and the House concurred in and adopted the S. J. R. 16 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 44. Relative to the adjournment of the two Houses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turner (Limestone) the House non-concurred in the Senate substitute for the resolution, H. J. R. 44, said Senate substitute being as follows:

SUBSTITUTE FOR H. J. R. 44

Be it Resolved By The Legislature of Alabama Both Houses Thereof Concurring:

That when the two Houses adjourn today they adjourn to meet again on Tuesday Aug. 25, 1964; and when they adjourn on Tuesday, Aug. 25, 1964 they adjourn to meet again on Thursday, Aug. 27, 1964; and when they adjourn on Thursday August 27, 1964, they adjourn sine die.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:15 P.M. On August 21, 1964

H. 128
H. 129
H. 130
H. 131
H. 47
H. 52
H. 54
H. 55
H. 56
H. 61
H. 62
H. 63
H. 64
H. 65
H. 66
H. 67
H. 68
H. 69
H. 71

H. 73
H. 74
H. 75
H. 77
H. 147
H. 5
H. 98
H. 146
H. 148
H. 149
H. 151
H. 150
H. 152
H. 153
H. 157
H. 158
H. 154
H. 105
H. 155
H. 104
H. 103
H. 43
H. 44
H. 119
H. 120
H. 122
H. 124
H. 125
H. 126
H. 127
H. 99
H. 101
H. 102
H. 22
H. 20
H. 50
H. 51
H. 53
H. 57
H. 58
H. 59
H. 60
H. 94
H. 48
H. 32
H. 46
H. 33
H. 38
H. 40
H. 42

H. 41
 H. 49
 H. 70
 H. 76
 H. 34
 H. J. R. 39
 H. 112
 H. 113

Delivered to the Governor at 2:15 P.M. On August 21, 1964

H. J. R. 25
 H. 95
 H. 97
 H. 37

JOHN W. PEMBERTON,
 Clerk.

ADJOURNMENT

On motion of Mr. Rogers the House adjourned until Tuesday, August 25, 1964, at two o'clock P.M.

TWELFTH DAY

House of Representatives
 Montgomery, Alabama
 Tuesday, August 25, 1964

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Joel D. McDavid, Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Callahan	Edwards (Lowndes)	Holladay
Albea	Camp	Engel	Ingram
Avery	Campbell (Jackson)	Etheredge	Jones (Covington)
Bailes	Campbell (Tuscaloosa)	Faulk	Jones (Monroe)
Baker (DeKalb)	Cantrell	Fields	Little
Barnett	Carr	Fite	Locke
Bassett	Casey	Gilmore	McCorquodale
Bethea (M)	Cates	Glass	McDermott
Bevill	Cook	Goldthwaite	Meade
Blanton	Cornett	Goodwyn	Meeks
Bolton	Crawford	Hain	Merrill
Boston	Daniel	Hankins	Moore
Branyon	Davis	Hannah	Morrow
Brown (Jefferson)	Doggett	Harper	Nabors
Brown (Tuscaloosa)	Dominick	Heflin	NeSmith
Burnham	Drake	Hester	Nettles
Burns	Edwards (Escambia)	Hogan	Owens

Paulk	Reynolds	Snell	Tuck
Pennington	Rogers	Steagall	Turner (Crenshaw)
Perry	Salter	Stembridge	Turner (Limestone)
Pierce	Scurlock	Sullivan	Vacca
Posey	Sessions	Teel	Young
Powell	Slate	Thomas	

—91

A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Rogers leave of absence was granted to Mr. Wood because of personal illness.

On motion of Mr. Hogan leave of absence was granted to Mr. Downing because of personal illness.

On motion of Mr. Vacca leave of absence was granted to Mr. Bowers to attend the out of state VFW meeting.

On motion of Mr. Crawford leave of absence was granted to Mr. Turnham to attend the Southern Regional Legislative Work Conference in Williamsburg, Virginia.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Eleventh legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the Eleventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Eleventh legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 17. To authorize and provide for additional circuit court judges in the 12th and 16th judicial circuits, and to prescribe the qualifications, compensation, powers, duties, and authority of such judges.

Also:

H. 18. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

Also:

H. 25. To apply only in counties having populations of not less than 28,000 nor more than 30,575, authorizing such counties to make certain temporary loans.

Also:

H. 29. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the Town of Rainbow City, Etowah County, Alabama.

Also:

H. 30. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

Also:

H. 31. Relating to justice of the peace courts in counties having populations of not less than 96,000 nor more than 106,000; to restore to or reconfer on certain justices of the peace and notaries public ex officio justices of the peace within such counties certain jurisdiction withdrawn and taken away from them by local acts.

Also:

H. 35. Relating to counties having a population of not less than 21,-988 nor more than 22,000; and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such a salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Also:

H. 100. Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

Also:

H. 106. To amend the title to and Sections 1 and 2 of Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

Also:

H. 92. TO PROVIDE THAT ANY CITY OR TOWN IN THE STATE HAVING A COMMISSION FORM OF GOVERNMENT MAY COME WITHIN AND BE GOVERNED BY THE PROVISIONS OF THIS ACT UPON THE ADOPTION AND PUBLICATION OF AN ORDINANCE BY THE GOVERNING BODY THEREOF ELECTING SO TO DO; TO PROVIDE THAT THE MEMBERS OF THE GOVERNING BODY SERVING AT THE TIME OF THE ADOPTION OF SUCH ORDINANCE SHALL CONTINUE TO SERVE UNTIL THE QUALIFICATION OF THEIR SUCCESSORS; TO PROVIDE THAT ALL LAWS, ORDINANCES, RESOLUTIONS, AND APPOINTMENTS IN FORCE WHEN THE MUNICIPALITY COMES UNDER THIS ACT SHALL REMAIN IN FORCE UNTIL REPEALED OR ALTERED; TO PROVIDE FOR THE ELECTION AND TERM OF OFFICE OF COMMISSIONERS; TO ESTABLISH THE QUALIFICATIONS OF CANDIDATES FOR COM-

MISSIONERS POSITIONS; TO PROVIDE FOR THE DISTRIBUTION OF THE POWERS OF THE MUNICIPALITY AMONG THE COMMISSIONERS; TO PROVIDE FOR MEETINGS OF THE BOARD OF COMMISSIONERS AND THE MANNER OF ADOPTING ORDINANCES AND RESOLUTIONS; TO PROVIDE THAT NO FRANCHISE, LEASE OR RIGHT SHALL BECOME EFFECTIVE UNTIL THIRTY DAYS AFTER THE GRANTING THEREOF; TO PROVIDE FOR THE ELECTION OF A RECORDER; TO REQUIRE THE POSTING OF A BOND BY COMMISSIONERS; TO PROHIBIT COMMISSIONERS FROM HOLDING OTHER PUBLIC OFFICES; TO PROHIBIT ANY COMMISSIONER, OFFICER OR EMPLOYEE OF THE MUNICIPALITY FROM HAVING ANY INTEREST IN ANY CONTRACT WITH THE MUNICIPALITY; TO BAR PERSONS RELATED TO ANY COMMISSIONER FROM HOLDING PUBLIC OFFICE; TO PROVIDE PUNISHMENT FOR VIOLATION OF SUCH PROHIBITIONS; TO REQUIRE THE PUBLICATION OF FINANCIAL REPORTS OF THE MUNICIPALITY; TO PROVIDE FOR THE FILLING OF ANY VACANCIES THAT MAY OCCUR IN THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE SALARIES OF COMMISSIONERS AND OTHER DISBURSEMENTS OF THE MUNICIPALITY; TO PROVIDE THAT MEETINGS OF THE BOARD OF COMMISSIONERS SHALL BE OPEN TO THE PUBLIC; TO PROVIDE A MANNER FOR CHANGING THE FORM OF GOVERNMENT OF THE MUNICIPALITY; TO PROVIDE FOR THE PRESENTATION OF A PETITION CALLING FOR THE RESIGNATION OF A COMMISSIONER, AND TO ESTABLISH REQUIREMENTS FOR THE SIGNING THEREOF; TO PROVIDE A FEE FOR THE JUDGE OF PROBATE FOR EXAMINING SUCH PETITION; TO PROVIDE A PENALTY FOR VIOLATION OF THE RESTRICTIONS ON SIGNING SUCH A PETITION; TO PROVIDE FOR AN ELECTION TO RECALL A COMMISSIONER AND FOR THE ELECTION OF HIS SUCCESSOR; AND TO STATE THE METHOD FOR ASCERTAINING QUALIFIED VOTERS IN MUNICIPALITIES SITUATED IN MORE THAN ONE COUNTY.

Also:

H. 107. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

Also:

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

Also:

H. 118. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

Also:

H. 156. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration

and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

Also:

H. 159. To amend Section 19 of Act No. 108, H. 152, Regular Session 1959, an act relating to the practice of chiropractic (Acts 1959, v. 1, p. 612).

Also:

H. 163. To apply in counties having populations of not less than 14,400 nor more than 14,900, providing expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body.

Also:

H. 164. Relating to counties having populations of not less than 14,400 nor more than 14,900; fixing the compensation of the coroner.

Also:

H. 165. To apply in counties having populations of not less than 14,500 nor more than 14,900: regulating the compensation of the county superintendent of education.

Also:

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Also:

H. 184. Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue.

Also:

H. 187. Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County.

Also:

H. 188. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 130,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all,

may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit, but shall be payable from the benefits secured for, or on behalf of the persons for whose benefit any such suit was successfully prosecuted; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

Also:

H. 190. Relating to the Municipality of Hartselle, in Morgan County, Alabama: to alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Also:

H. 191. Regulating further the office of circuit solicitor of the eighth judicial circuit of Alabama; amending Section 2 of Act No. 312, S. 215, Regular Session 1955 (Acts 1955, p. 710), relating to the solicitor's fund.

Also:

H. 193. To make an appropriation to the State Board of Chiropractic Examiners for the fiscal year ending September 30, 1965.

Also:

H. 194. To apply only in counties of the state having populations of not less than 100,000 nor more than 115,000; to further regulate the taking of fish from public streams and impounded waters.

Also:

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

Also:

H. 196. Relating to counties having a population of not less than 100,000 and not more than 115,000 inhabitants according to the latest or any succeeding Federal decennial census and providing for and further regulating the operation of child care in institutions in such counties.

Also:

H. 199. To provide that housing authorities incorporated under the statutes contained in the Code of Alabama 1940 in counties of not

less than 150,000 inhabitants and not more than 300,000 inhabitants according to the last United States Census; where the employees of said housing authorities are subject to the provisions of a merit system; that said housing authorities in said counties acting by resolution of their Board of Commissioners are authorized to enter into a contract for the services of a director and assistant director and fix the compensation of same; said director and assistant director shall act as liaison personnel between the cities, the Regional Director and shall negotiate with citizens affected by the overall plan of Urban Redevelopment and such other duties as may be provided in said contract, in order to expedite and implement Title I of the Federal Housing Act of 1949, as amended. Said contract shall be approved by the Regional Director.

Also:

H. 202. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

Also:

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

Also:

H. 205. To regulate further the compensation and allowance of the sheriff of counties having a population of not less than 96,000 nor more than 106,000.

Also:

H. 207. To amend Act No. 190, H. 389, Regular Session 1961 (Acts 1961, p. 230), an act which regulates the compensation of members and clerks of jury commissions in counties having populations of not less than 96,000 nor more than 106,000.

Also:

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

Also:

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

Also:

H. 214. Relating to counties having a population of not less than 100,000 nor more than 115,000 according to the latest or any succeeding Federal census and amending Title 49, Section 64 of the Code of Alabama of 1940 as the same applies to such counties.

Also:

H. 221. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 227. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Also:

H. 228. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Also:

H. 229. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Also:

H. 230. Providing for appointment of members of county boards of equalization in counties having populations of not less than 150,000 nor more than 300,000; amending further Code of Alabama Title 51, Section 89.

Also:

H. 231. Providing for the appointment, tenure, compensation, powers and duties of license inspectors in counties having populations of not less than 150,000 nor more than 300,000.

Also:

H. 232. Relating to the appointment, tenure, and compensation of registrars in counties having populations of not less than 150,000 nor more than 300,000.

Also:

H. 234. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Also:

H. 235. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Also:

H. 236. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

Also:

H. 238. To apply in all counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for branch banking in such counties.

Also:

H. 240. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of the coroner in such counties, providing for a salary payable by the county in lieu of fees and allowances.

Also:

H. 241. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of jurors.

Also:

H. 242. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Also:

H. 243. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Also:

H. 244. Relating to the Seventh Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

H. 245. Relating to counties having populations of not less than 76,000 nor more than 96,000; providing for the appointment of deputies sheriff; and fixing their salaries.

Also:

H. 246. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 76,000 nor more than 96,000.

Also:

H. 251. Relating to counties having populations of not less than 22,550 nor more than 24,550, authorizing an appropriation from county funds for certain purposes.

Also:

H. 252. Relating to counties having populations of not less than 300,000 nor more than 500,000; to authorize the county governing body of any such county to make available to the sheriff an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

Also:

H. 253. To apply in counties having populations of not less than 300,000 nor more than 500,000; providing for assistants and deputies of the sheriff, regulating and providing for payment of their compensation.

Also:

H. 254. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Also:

H. 255. Relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff.

Also:

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

Also:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assessment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

Also:

H. 262. To provide for a Chief Bailiff of the Circuit Court of any County having a population of not less than 76,000 nor more than 96,000, and to further provide for the appointment, tenure of office, and compensation of such Chief Bailiff.

Also:

H. 263. Relating to counties having a population of not less than 76,000 nor more than 96,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Also:

H. 139. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Amendment CXCIV to the Constitution of Alabama providing for the levy and collection by Mobile County of a special tax, not exceeding six mills on each dollar of taxable property in the County, for public hospital purposes.

Also:

H. 178. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear

the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Callahan, Brewer, Brown (Tuscaloosa) and Campbell (Tuscaloosa):

H. J. R. 46. WHEREAS, Monday, September 7th, 1964 has been set aside, named and designated as the day all Americans honor the men and women who earn their living by the sweat of their brow; and

WHEREAS, this is an honorable event and should be observed as an occasion of health, happiness and rest; yet from past occasions and past traditions this has been observed as an occasion for SLAUGHTER ON THE HIGHWAYS of this state, as it is with so many holidays.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That the people of Alabama be called upon to drive with a special care and caution, during that period of time usually referred to as "Labor Day Week End" to the end that slaughter on the highways on this occasion be held to a minimum.

BE IT FURTHER RESOLVED, That the Honorable Al Lingo, Director, Department of Public Safety, be instructed to call upon all his state troopers to be extra alert in preventing accidents and deaths on this occasion.

BE IT FURTHER RESOLVED, That the Governor of Alabama be REQUESTED to issue a proclamation, well in advance, calling upon all Alabamians to exert an extra bit of care on this occasion, and calling upon and requesting all media of publicity to begin at an early date to put on a campaign to assist in this all important matter.

On motion of Mr. Callahan the rules were suspended and H. J. R. 46 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 85. To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

Also:

S. 100. Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

Also:

S. 101. To provide for compensation of jurors in DeKalb County.

Also:

S. 104. For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

Also:

S. 107. To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

Also:

S. 113. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

Also:

S. 122. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Also:

S. 123. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Also:

S. 137. Relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature there-to is requested:

S. 58. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Also:

S. 59. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Also:

S. 68. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Also:

S. 77. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Also:

S. 78. To make an appropriation to the use of the White House Association.

Also:

S. 86. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Also:

S. 92. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Also:

S. 133. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event

shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

S. J. R. 16. Expressing regret as to the disability of the Senator from Houston.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 140. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

S. 148. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

S. 153. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

S. 154. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Mr. Sessions, Temporary-Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 150. An Act to revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963, (Ala. Acts, 1963, page 963, et seq.)

Mr. McCorquodale, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 249. To amend Code of Alabama 1940, Title 8, Section 39, which relates to nonresident state fishing licenses.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bethea (M):

H. 288. To provide for congressional districts and for the election of congressmen by districts, further amending Code 1940, Title 17, Sections 425 and 426.

Local Legislation No. 2.

By Mr. McDermott (with notice and proof):

H. 289. Relating to Mobile County; providing that the Sheriff of such County shall not be liable for the acts of his deputies, except under certain circumstances; excluding from the applicability of such act liability for misappropriation of funds.

Local Legislation No. 3.

Notice and Proof H. 289:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application will be made for its passage, to wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County; providing that the Sheriff of such County shall not be liable for the acts of his deputies, except under certain circumstances; excluding from the applicability of such act liability for misappropriation of funds.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Mobile County shall not be liable for the acts of his deputies unless he participates in such case, or the same are done in compliance with his orders or with his knowledge and consent; provided, however, that the Sheriff and the sureties on his bond shall be liable for the misappropriation of money collected by any Deputy Sheriff under color of his office or in the course of his employment.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, July 29, Aug. 5, 12, 19, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 19 day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Fite:

H. J. R. 47. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Journals of the House and Senate of this Special Session of the Alabama Legislature be bound in one and the same volume;

PROVIDED, however, that if such volume is more than twelve hundred pages in length, then the Senate Journal shall be bound in one volume and the House Journal shall be bound in one volume.

On motion of Mr. Fite the rules were suspended and H. J. R. 47 was adopted.

Also:

By Mr. Fite:

H. J. R. 48. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Clerk of the House and the Secretary of the Senate each be allowed the Enrolling and Engrossing Clerks and eight assistants for four weeks in addition to those now provided in the Code to assist in checking the Journals and other records of the House and Senate for delivery to the Secretary of State.

On motion of Mr. Fite the rules were suspended and H. J. R. 48 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Nichols:

S. J. R. 18. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Thursday, August 27, 1964; and when they adjourn on Thursday, they adjourn Sine Die.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 18 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Cates:

H. J. R. 49. WHEREAS Mr. L. C. Abbott, veteran tax collector of Shelby County, passed away on August 14, 1964 in Columbiana at the age of eighty-five; and

WHEREAS Mr. Abbott who was born and reared in the Shelby community spent much of his long and useful life in public service which he performed faithfully and efficiently. The affection and esteem with which Mr. Abbott was held is attested to by the fact that he was elected to the office of tax collector first in 1934 and was reelected for every subsequent term, frequently without opposition and usually as leader of the ticket in every campaign; and

WHEREAS Mr. Abbott who was a Baptist, a Mason, and a pillar of his community, will be sorely missed by his many friends is survived by four nieces: Mrs. Ed Glass, Columbiana; Mrs. C. A. Craven, Birmingham; Mrs. Herston Cooper, Miami Beach, Florida; and Mrs. J. O. Erwin, Houston, Texas; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the passing of Mr. Abbott and extends its sincere sympathy to the surviving members of his family.

On motion of Mr. Cates the rules were suspended and H. J. R. 49 was adopted.

Also:

By Mr. Nettles:

H. R. 50. WHEREAS, the Credentials Committee of the 1964 Democratic National Convention has recommended and the Convention has adopted a prohibition against the seating of the elected Alabama Delegates to such Convention unless and until such delegates sign a so-called "Loyalty" Pledge which is not required of other delegates; and

WHEREAS, the record of loyalty of the people of Alabama to the Democratic Party stands without parallel in the political history of our Nation and thus surpasses that of many states whose delegates now seek to require of our Delegation this repugnant, insulting and belittling action. This is a reflection upon the character and integrity of the duly elected members of the Alabama Delegation and upon the people of Alabama; and

WHEREAS, an overwhelming majority of such duly elected delegates from our State have justly refused to comply with this offensive requirement, and such refusal on their part is in keeping with the desires and wishes and reflects the sentiment of a great majority of the Democrats of Alabama;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we do commend those elected members of the Alabama Delegation for their forthright stand on principle and assure them that such is in accord with their

obligation to the Democrats of Alabama, and we do further condemn those who seek to take advantage of the present situation to gain, without benefit of election, the rightful places of the duly elected delegates and thereby thwart the will of the Democrats of Alabama;

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted forthwith to the Chairman of the Alabama Delegation to the National Democratic Convention, to the national news media, and to the President of the United States who should intervene in this matter in appreciation for the historic loyalty of the people of Alabama to the Democratic Party and for the personal support given him by the Alabama Delegation in 1960 for nomination for President of the United States.

On motion of Mr. Nettles the rules were suspended and H. R. 50 was adopted.

BILLS POSTPONED

On motion of Mr. Locke, consideration of the bill, H. 93, was postponed until the next legislative day.

On motion of Mr. Locke, consideration of the bill, S. 19, was temporarily postponed.

BILL ON THIRD READING

S. 88. To amend further Code of Alabama 1940, Title 37, Section 440, in relation to the compensation of the mayor of any city having a population of not less than 28,000 nor more than 29,000.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Casey	Hester	Pennington
Albea	Cates	Hogan	Perry
Bailes	Cornett	Ingram	Pierce
Baker (DeKalb)	Crawford	Jones (Covington)	Powell
Barnett	Daniel	Jones (Monroe)	Reynolds
Bassett	Davis	Little	Rogers
Bethea (M)	Doggett	Locke	Scurlock
Bevill	Edwards (Escambia)	McCorquodale	Snell
Blanton	Edwards (Lowndes)	McDermott	Steagall
Bolton	Fite	Meade	Stembridge
Boston	Glass	Meeks	Sullivan
Branyon	Goldthwaite	Merrill	Teel
Brown (Jefferson)	Goodwyn	Moore	Thomas
Burnham	Hain	Morrow	Tuck
Campbell (Jackson)	Hankins	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Hannah	Nettles	Vacca
Cantrell	Harper	Owens	Young
Carr	Heflin	Paulk	

—71

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Carter:

S. J. R. 20. WHEREAS, the American Legion and Auxiliary, Department of Alabama have performed an exemplary service to the citizens of the Great State of Alabama and to the Nation, and

WHEREAS, the American Legion and Auxiliary, Department of Alabama have always enthusiastically, ardently and most effectively supported commemoration of the wartime victories of this Nation and the heroes of this Great State, and

WHEREAS, the Legion and Auxiliary, comprising 40,000 Alabama citizens, will further promulgate that faith in support of our Great State, and

WHEREAS, a direct effect, and most noteworthy cause to the citizenry of the Great State of Alabama will be made by the Legion and Auxiliary in a statewide fund drive on October 3, 1964, in support of the enshrinement of our namesake battleship, the USS ALABAMA, now therefore, be it

RESOLVED, That both houses of the State Legislature of this Great State of Alabama, concurrently in session, do hereby commend the American Legion and Auxiliary, Department of Alabama, for their exemplary efforts in behalf of the enshrinement of the USS ALABAMA, and for their service to the citizens of this Great State.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook the rules were suspended and the House concurred in and adopted the S. J. R. 20 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Nichols:

S. J. R. 17. WHEREAS Governor Wallace called the Legislature into special session for the purpose of enacting constructive redistricting action, and the failure to enact such legislation would have resulted in hundred of thousands of wasted tax dollars to the taxpayers of Alabama. With final approval of a congressional redistricting bill, perhaps now the political air will be cleared of some misconceptions concerning this vitally needed legislation; and

WHEREAS we do not believe that the public will be deceived by the spurious argument that a redistricting bill at this time favors one group of candidates rather than another, when nothing could be further from the truth. The same rules apply that have always applied throughout the history of Alabama. The candidate who receives the majority vote in his district will represent that district in Congress next January, be he Democrat or Republican. These have always been the accepted rules of politics under our system of government. Any candidate not capable of facing these facts and facing the voters of the district which he seeks to represent, ought not to be in politics in the first place; and

WHEREAS redistricting has been a major problem with which our state has been confronted for several years, now resulting in a tremendous drain in tax dollars and congressional services to our people. The magnitude and scope of the difficulties associated with redistricting are recognized by the members of this body, and great credit belongs to all those who rose above narrow political bickering in order to help the Legislature act constructively on this issue; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Governor Wallace be commended for his far-sighted action in urging enactment of redistricting legislation at this time, and that special appreciation of the people of our state be extended to Congressman Armistead Selden whose statesman-like acceptance of the majority will of the Legislature was in the best tradition of sound, conservative, and dedicated public service.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 17 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

H. 138 POSTPONED

On motion of Mr. Rogers, consideration of the bill, H. 138, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

S. 19. To amend the Title and Section 1 of Act No. 663, S. 132, approved September 6, 1961 (Acts of 1961, p. 827) entitled "An Act to provide for and regulate general and special elections in the cities and towns of this State, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers: Providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections: Providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast: Designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor: Prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the City or Town holding such elections."

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Bassett	Burnham	Casey
Albea	Bethea (M)	Burns	Cates
Avery	Blanton	Camp	Cook
Bailes	Bolton	Campbell (Jackson)	Cornett
Baker (DeKalb)	Boston	Campbell (Tuscaloosa)	Crawford
Barnett	Brown (Jefferson)	Carr	Doggett

Dominick	Hester	Moore	Slate
Edwards (Escambia)	Hogan	Morrow	Snell
Edwards (Lowndes)	Holladay	Nabors	Steagall
Engel	Ingram	NeSmith	Stembridge
Fields	Jones (Covington)	Nettles	Sullivan
Fite	Jones (Monroe)	Owens	Teel
Gilmore	Little	Paulk	Thomas
Glass	Locke	Pennington	Tuck
Hain	McCorquodale	Perry	Turner (Crenshaw)
Hankins	McDermott	Pierce	Turner (Limestone)
Hannah	Meade	Powell	Vacca
Harper	Meeks	Reynolds	Young
Heflin	Merrill	Sessions	

—75

And the bill:

H. 285. To use the final peaceful and lawful means available to the people of the sovereign State of Alabama, to void unconstitutional legislation passed by members of the U. S. Congress, to clarify the law within the State of Alabama which has been confused by unconstitutional and illegal actions of members of the United States Supreme Court, the federal Executive Branch and finally the U. S. Congress itself, to correct distortions of the basic Law of the Land, to eliminate arrogations of power by federal agencies which power was not "delegated by the Constitution nor prohibited by it to the States", to revoke usurpations by the Federal Government of power retained under the Constitution of the United States by the State of Alabama and the people thereof, to void within the State of Alabama the Public Law No. 88-352, so-called "The Civil Rights Act of 1964."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Owens
Albea	Cates	Harper	Paulk
Avery	Cook	Hester	Perry
Bailes	Cornett	Hogan	Pierce
Baker (BeKall)	Crawford	Holladay	Powell
Barnett	Daniel	Ingram	Reynolds
Bassett	Davis	Jones (Covington)	Rogers
Bethea (M)	Doggett	Jones (Monroe)	Scurlock
Bevill	Dominick	Little	Sessions
Blanton	Edwards (Escambia)	Locke	Snell
Bolton	Edwards (Lowndes)	McCorquodale	Steagall
Boston	Engel	Meade	Stembridge
Branyon	Faulk	Meeks	Sullivan
Brown (Jefferson)	Fite	Merrill	Teel
Burns	Gilmore	Moore	Thomas
Camp	Glass	Morrow	Tuck
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Turner (Crenshaw)
Cantrell	Goodwyn	NeSmith	Vacca
Carr	Hain	Nettles	Young

—76

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Tyson, Gilchrist and Horton.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 142. To authorize and require the expenditure of funds in the Public Welfare Trust Fund, created by Title 49, Section 17, Sub-section 27 of the Code of Alabama of 1940, to provide Juvenile Court probationary services in all those counties in which Juvenile Court probationary service is not furnished by the State Department of Pensions and Security and to authorize the matching of funds with local counties employing Juvenile Court Probation Officers.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Tyson:

S. 93. Relating to taxation, providing exemptions from the State Sales Tax Law and the State Use Tax Law for fabricated steel sections for any tunnel for highway vehicular traffic, and component parts thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 93. Ways and Means.

BILLS ON THIRD READING RESUMED

H. 286. To amend Section 553, Title 52, of the Code of Alabama, 1940, regarding the physical examination of school children.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Casey	Harper	Paulk
Albea	Cates	Hester	Pennington
Avery	Cook	Hogan	Perry
Bailes	Cornett	Holladay	Pierce
Baker (DeKalb)	Crawford	Ingram	Powell
Barnett	Daniel	Jones (Covington)	Reynolds
Bassett	Davis	Jones (Monroe)	Rogers
Bethea (M)	Doggett	Little	Scurlock
Bevill	Drake	Locke	Sessions
Blanton	Edwards (Escambia)	McCorquodale	Slate
Bolton	Edwards (Lowndes)	McDermott	Snell
Boston	Faulk	Meade	Steagall
Branyon	Glass	Meeks	Stembridge
Brown (Jefferson)	Fite	Moore	Sullivan
Burnham	Gilmore	Morrow	Thomas
Burns	Glass	Nabors	Tuck
Campbell (Jackson)	Goldthwaite	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Hain	Nettles	Vacca
Cantrell	Hankins	Owens	Young
Carr	Hannah		

—78

And the bill:

S. 119. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hester	Pennington
Albea	Crawford	Hogan	Perry
Bailes	Daniel	Holladay	Pierce
Baker (DeKalb)	Davis	Ingram	Powell
Barnett	Doggett	Jones (Covington)	Reynolds
Bassett	Dominick	Jones (Monroe)	Rogers
Bethea (M)	Drake	Little	Scurlock
Bevill	Edwards (Escambia)	Locke	Sessions
Blanton	Edwards (Lowndes)	McDermott	Slate
Boston	Engel	Meade	Snell
Branyon	Faulk	Meeks	Stembridge
Brown (Jefferson)	Fields	Merrill	Sullivan
Burnham	Fite	Moore	Teel
Burns	Gilmore	Morrow	Thomas
Camp	Glass	Nabors	Tuck
Campbell (Tuscaloosa)	Hain	NeSmith	Turner (Limestone)
Cantrell	Hankins	Nettles	Vacca
Casey	Hannah	Owens	Young
Cook	Harper	Paulk	

—75

RESOLUTION

The following resolution was introduced.

By Mr. Heflin:

H. J. R. 51. RELATIVE TO ESTABLISHMENT OF A CONFEDERATE MEMORIAL PARK

WHEREAS it is just and proper that the people of Alabama remember and honor the unsurpassed valor and sacrifice of its sons and daughters who distinguished themselves during the existence of the Confederacy and the War Between the States; and

WHEREAS the National Centennial of the War Between the States is now in progress, but will end in 1965; and

WHEREAS, the site of the former Mountain Creek Soldiers' Home and the Mountain Creek Cemetery, where many Confederate veterans are buried, is owned by the State of Alabama and has been allowed to fall into such a sadly neglected condition as to look abandoned and thereby indicate a disrespect for the valiant Confederate soldiers resting there; and

WHEREAS the beautification, care and maintenance of this cemetery as a suitable resting place for Alabama's Confederate soldiers sleeping there is a moral obligation of the State; and

WHEREAS, the site of this cemetery and the former soldiers home is most appropriate for a Confederate Memorial Park and it is fitting that Alabama establish such a park before the end of the National Centennial Observance of the War Between the States; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby memorializes the Director of Conservation and the Chief of the Division of Parks, Monuments and Historical Sites in the Conservation Department, to designate Mountain Creek Cemetery and a suitable part of the Mountain Creek Soldiers' Home site "Confederate Memorial Park," and to maintain such site in a manner commensurate with the honor and reverence with which the people of Alabama remember this State's valiant Confederate veterans. Such Chief of the Division of Parks is urged to use any funds available for such purpose in erecting columns at the entrance to the cemetery to support an appropriate iron grill-work arch bearing the name of the park, to provide for the erection of an open air pavilion or other structure suitable for memorial services at such park, in cooperation with the State Highway Department, to lay out, construct and maintain roadways and paths in the cemeteries to provide access to the graves therein, and generally to beautify this site and convert it into a fitting shrine to the honor of Alabama's citizens of the Confederacy.

BE IT FURTHER RESOLVED that the Director of Conservation is hereby urged to request the Highway Department to construct and maintain roads throughout such park as authorized in Code of Alabama, 1940, Title 8, Section 181; and that the Highway Department is urged to comply with this request and to exert every effort to have this site converted into a suitable memorial to Alabama's citizens of the Confederacy before the period of observance of the National Centennial expires and to this end to expend any funds available for such purpose.

On motion of Mr. Heflin the rules were suspended and H. J. R. 51 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,-

000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you the Body in which this Bill originated, Senate Bill 13, with a suggested Executive Amendment.

Amend Section 1 of Senate Bill 13 by striking therefrom Sub-Section (C) in its entirety, and substitute therefor Sub-Section (C), to read as follows:

"(C) or at any time during the probationary period, or any extension thereof, may, upon motion of defendant, set aside the plea of guilty or verdict of guilty and grant a new trial and try the case, provided defendant has complied with the conditions of such probation."

This suggested executive amendment is made with the full knowledge and approval of the author of said bill, and if adopted my objection to the bill will be removed.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 13, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 21, Nays 0.

And said Bill, as thus amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 21, Nays 0.

And said Bill, S. B. 13, together with the amendment proposed by the Governor, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 13, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	NeSmith
Albea	Cook	Hankins	Nettles
Baker (DeKalb)	Cornett	Hannah	Paulk
Barnett	Crawford	Harper	Pennington
Bassett	Daniel	Hester	Pierce
Bethea (M)	Davis	Hogan	Reynolds
Bevill	Doggett	Holladay	Rogers
Boston	Drake	Ingram	Scurlock
Branyon	Edwards (Escambia)	Jones (Covington)	Slate
Brown (Jefferson)	Edwards (Lowndes)	Jones (Monroe)	Snell
Burnham	Engel	Little	Steagall
Burns	Faulk	McCorquodale	Stembridge
Camp	Fields	McDermott	Sullivan
Campbell(Tuscaloosa)	Fite	Meade	Teel
Cantrell	Gilmore	Meeks	Thomas
Carr	Glass	Merrill	Tuck
Casey	Goldthwaite	Moore	Young

—68

Which was a majority of the whole number elected to the House.

And said bill:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Bethea (M)	Burns	Cates
Albea	Bevill	Camp	Cook
Bailes	Boston	Campbell(Tuscaloosa)	Cornett
Baker (DeKalb)	Branyon	Cantrell	Crawford
Barnett	Brown (Jefferson)	Carr	Daniel
Bassett	Burnham	Casey	Davis

Doggett	Hankins	McDermott	Reynolds
Drake	Hannah	Meade	Rogers
Edwards (Escambia)	Harper	Meeks	Scurlock
Edwards (Lowndes)	Hester	Merrill	Snell
Engel	Hogan	Moore	Steagall
Faulk	Holladay	NeSmith	Stembridge
Fields	Ingram	Nettles	Sullivan
Fite	Jones (Covington)	Paulk	Teel
Gilmore	Jones (Monroe)	Pennington	Thomas
Glass	Little	Perry	Tuck
Goldthwaite	McCorquodale	Pierce	Young
Hain			

—69

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Lowe:

S. 156. Relating to counties having populations of not less than 12,800 nor more than 19,500; providing further for the compensation of members of the county governing bodies.

McDOWELL L. LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 156. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 226. To provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 40. Congratulating Honorable Joseph Palumbo, Selma, Alabama, for having been selected as an All American District Commander in the Veterans of Foreign Wars.

Also:

H. J. R. 41. Congratulating Honorable William B. Camp, of Fort Payne, Alabama on honors received by him for his outstanding leadership in the Veterans of Foreign Wars.

Also:

H. J. R. 47. Relative to binding the Journals of the House and Senate in the same volume for this Special Session.

Also:

H. J. R. 48. Relative to clerks and assistants for the Clerk of the House and the Secretary of the Senate for four weeks following sine die adjournment.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Jones (Covington):

H. J. R. 52. To provide for a legislative advisory and study committee with the Board of Corrections.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

1. There shall be established a joint legislative advisory and study committee with the Board of Corrections, to consist of three Representatives appointed by the Speaker of the House and two Senators appointed by the President of the Senate.

2. It shall be the duty of the committee (1) to work with the Board of Corrections to study the feasibility of relocating the State's prison facilities and to provide for the disposition of existing prison properties; (2) make plans for such a program; (3) make a report of its findings, conclusions, and recommendations to the Governor and to the Legislature at the earliest practicable date; submit to the Governor and to the Legislative Council drafts of any legislation needed to carry out the findings and recommendations of the committee not later than April 15, 1965.

3. The members of the committee shall select a chairman and vice chairman from among their own number, and shall meet at such time or times and at such places as the committee chairman of the committee may designate. The members of the Committee shall be entitled to their usual legislative per diem and expenses for attending committee meetings or when otherwise engaged on committee business while the Legislature is not in session. Provided, that no member of the Committee shall be paid for more than 30 days in any calendar year.

4. The committee chairman shall be authorized to employ such technical, clerical, professional, or other assistance as may be deemed necessary to carry out the functions of this committee, and the compensation for technical, clerical, professional or other assistance shall be paid from any funds appropriated for the use of the Legislature.

Mr. Jones (Covington) moved to suspend the rules and adopt H. J. R. 52.

Mr. Turner (Crenshaw) called for a division of the question.

Mr. Jones (Covington) then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 52, and said motion was lost.

Yeas 35; Nays 27.

Yeas:

Mr. Speaker	Crawford	Ingram	Pierce
Barnett	Daniel	Jones (Covington)	Powell
Bevill	Fields	Little	Scurlock
Blanton	Goldthwaite	McCorquodale	Slate
Bolton	Goodwyn	McDermott	Steagall
Boston	Hain	Meeks	Stembridge
Camp	Heflin	Nettles	Tuck
Cates	Hogan	Owens	Vacca
Cook	Holladay	Paulk	

—35

Nays:

Messrs.	Carr	Hannah	Pennington
Albea	Cornett	Hester	Perry
Avery	Davis	Jones (Monroe)	Reynolds
Bailes	Edwards (Escambia)	Merrill	Snell
Brown (Jefferson)	Edwards (Lowndes)	Moore	Teel
Burnham	Fite	Morrow	Thomas
Campbell (Jackson)	Gilmore	Nabors	Turner (Crenshaw)

—27

And the resolution, H. J. R. 52, was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 142. To authorize and require the expenditure of funds in the Public Welfare Trust Fund, created by Title 49, Section 17, Sub-section 27 of the Code of Alabama of 1940, to provide Juvenile Court probationary services in all those counties in which Juvenile Court probationary service is not furnished by the State Department of Pensions and Security and to authorize the matching of funds with local counties employing Juvenile Court Probation Officers.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF COMMITTEE OF CONFERENCE ON THE BILL, H. B. 137

We, your committee of conference appointed to reconcile the disagreement between the two houses concerning the bill, H. B. 137, have met, considered the matter of disagreement between the two houses, and have agreed to the following report:

1. We recommend that the House recede from its position and agree to the Senate amendment to the bill; and
2. That the bill as amended by the Senate be passed.

MYLAN R. ENGEL,
ELWOOD L. HOGAN,
C. M. A. ROGERS, III,
Conferees on the part of the House.

JOHN M. TYSON,
BOB GILCHRIST,
ED HORTON,
Conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Engel the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 137, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Paulk
Albea	Cates	Hannah	Pennington
Avery	Cook	Harper	Perry
Bailes	Crawford	Heflin	Pierce
Barnett	Daniel	Hester	Powell
Bassett	Davis	Hogan	Reynolds
Bevill	Doggett	Ingram	Rogers
Boston	Edwards (Escambia)	Little	Scurlock
Branyon	Edwards (Lowndes)	McCorquodale	Snell
Brown (Jefferson)	Engel	McDermott	Steagall
Brown (Tuscaloosa)	Fields	Meeks	Stembridge
Burnham	Fite	Merrill	Teel
Burns	Gilmore	Morrow	Thomas
Camp	Glass	Nabors	Tuck
Campbell (Jackson)	Goldthwaite	NeSmith	Turner (Limestone)
Cantrell	Goodwyn	Nettles	Vacca
Carr	Hain	Owens	Young

—68

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:40 P.M. On August 25, 1964

H. 17
H. 18
H. 25
H. 29
H. 30
H. 31
H. 35
H. 100
H. 106
H. 92
H. 107
H. 115
H. 118
H. 156
H. 159
H. 163
H. 164
H. 165
H. 171
H. 184
H. 187
~~H. 188~~
H. 190
H. 191
H. 193
H. 194
H. 195
H. 196
H. 199
H. 202
H. 203
H. 205
H. 207
H. 208
H. 209
H. 214
H. 221
H. 227
H. 228
H. 229
H. 230
H. 231
H. 232
H. 234
H. 235
H. 236
H. 238
H. 240
H. 241

H. 242
H. 243
H. 244
H. 245
H. 246
H. 251
H. 252
H. 253
H. 254
H. 255
H. 258
H. 261
H. 262
H. 263

Delivered to the Secretary of State at 2:55 P.M. On August 25, 1964

H. 139
H. 178

Delivered to the Governor at 3:45 P.M. On August 25, 1964

H. 142

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

Mr. Rogers moved that the House adjourn until Wednesday, August 26, 1964, at ten o'clock A.M.

The substitute motion of Mr. Fite that the House adjourn until Friday, August 28, 1964, at ten o'clock A.M., was adopted.

Yeas 53; Nays 26.

Yeas:

Mr. Speaker	Burns	Gilmore	Paulk
Albea	Callahan	Glass	Pennington
Avery	Camp	Hankins	Powell
Bailes	Campbell (Jackson)	Hannah	Reynolds
Baker (DeKalb)	Campbell (Tuscaloosa)	Harper	Scurlock
Bassett	Cantrell	Heflin	Slate
Bevill	Carr	Hester	Steagall
Blanton	Cook	Ingram	Stembridge
Bolton	Crawford	Jones (Covington)	Sullivan
Boston	Daniel	Jones (Monroe)	Teel
Branyon	Davis	McCorquodale	Turner (Crenshaw)
Brown (Jefferson)	Edwards (Lowndes)	Moore	Vacca
Brown (Tuscaloosa)	Fite	Nabors	Young
Burnham			

—53

Nays:

Messrs.	Edwards (Escambia)	Locke	Pierce
Bethea (M)	Engel	McDermott	Rogers
Casey	Fields	Meeks	Snell
Cates	Goldthwaite	Morrow	Thomas
Cornett	Hain	NeSmith	Tuck
Doggett	Hogan	Nettles	Turner (Limestone)
Dominick	Little	Perry	

—26

THIRTEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, August 28, 1964

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. J. R. White, Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cook	Harper	Pennington
Albea	Cooper	Hawkins	Perry
Avery	Cornett	Heflin	Pierce
Bailes	Crawford	Hester	Posey
Baker (DeKalb)	Daniel	Hogan	Powell
Barnett	Davis	Holladay	Pruitt
Bassett	Doggett	Ingram	Rast
Bethea (B)	Dominick	Jones (Covington)	Reynolds
Bethea (M)	Drake	Jones (Monroe)	Rogers
Bevill	Edington	Little	Salter
Blanton	Edwards (Escambia)	Locke	Scurlock
Bolton	Edwards (Lowndes)	McCorquodale	Sessions
Boston	Engel	McDermott	Smith
Bowers	Etheredge	Mashburn	Snell
Branyon	Faulk	Meade	Steagall
Brown (Jefferson)	Fields	Meeks	Stembridge
Brown (Tuscaloosa)	Fite	Merrill	Sullivan
Burnham	Gilmore	Moore	Teel
Burns	Glass	Morrow	Thomas
Callahan	Goldthwaite	Nabors	Tuck
Camp	Grouby	NeSmith	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hain	Nettles	Turner (Limestone)
Carr	Hankins	Owens	Vacca
Casey	Hannah	Paulk	Young
Cates			

—97

A quorum was present.

LEAVES OF ABSENCE

On motion of Mrs. Fields leave of absence was granted to Mr. Downing because of personal illness.

On motion of Mr. Rogers leave of absence was granted to Mr. Wood because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twelfth legislative day was approved.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 156. Relating to counties having populations of not less than 18,800 nor more than 19,500; providing further for the compensation of members of the county governing bodies.

S. 147. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings in counties having not less than 26,000 nor more than 27,000 population, according to the last or any subsequent decennial census.

S. 112. To provide for a supplemental salary to be paid by counties to the register of a one-county judicial circuit, which county has a population under 500,000, and having two courthouses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones (Covington) (with notice and proof):

H. 290. To alter, rearrange, and extend the boundaries of the City of Opp, in Covington County.

Local Legislation No. 1.

Notice and Proof H. 290:

LEGAL NOTICES NOTICE OF LOCAL BILL

Notice is hereby given that a local bill will be introduced at the present special session of the legislature of Alabama to rearrange and enlarge the present corporate limits of the City of Opp, Ala. by adding to said corporate limits the following described property:

To alter, rearrange and extend the boundaries of the City of Opp, in Covington County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Opp in Covington County are hereby altered, rearranged, and extended so as to incorporate within the city that portion of the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southeast quarter, Section 27, Township 4 North, Range 18 East, lying north of the old Perry Store Road, being bounded on the north by East Hart Avenue Extension and on the south by the old Perry Store Road, in Covington County.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COVINGTON COUNTY

Before me, the undersigned authority, personally appeared Robert D. Burgess who, being duly sworn deposes and says that he is the Editor of The Opp News, a newspaper of general circulation published at Opp in Covington County, Alabama; that said newspaper has been mailed under the second class mailing privileges of the United States Post Office dated from the Post Office at Opp, Alabama, for 52 consecutive weeks and more prior to August 6, 1964; that the notice of Notice of Local Bill attached hereto has been published in said newspaper for Four consecutive weeks in the weekly issues of said newspaper of the dates of August 6, 13, 20, 27.

ROBT. D. BURGESS.

Sworn to and subscribed before me this 27 day of August, 1964.

W. L. STEELE,
Notary Public, Covington County, Alabama.

By Mrs. Fields (with notice and proof):

H. 291. To provide retirement allowances for certain elected officials and former elected officials of Mobile County and certain incorporated municipalities therein.

Local Legislation No. 3

Notice and Proof H. 291:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of the State of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide retirement allowances for certain elected officials and former elected officials of Mobile County and certain incorporated municipalities therein.

Be It Enacted by the Legislature of Alabama:

Section 1. All elected officials or former elected officials of Mobile County or any incorporated municipality therein shall be covered hereby under a retirement system or systems applicable to their respective governmental agencies, as herein provided. As used in this Act, "elected official" shall mean any person who serves in an elective office. "Former elected official" shall mean any person who has served in an elective office.

Section 2. Each elected official of Mobile County or any incorporated municipality therein and each former elected official of Mobile County or any incorporated municipality therein who has served not less than eighteen (18) years in said elective office or offices shall be

entitled to, and shall be paid, a retirement allowance equal to fifty per cent (50%) of average compensation in participant's ten highest paid years while in covered employment.

Section 3. Such retirement benefit shall start when participant attains his 65th birthday if male, or attains her 62nd birthday if female. Provided, however, that retirement benefit shall start for eligible participants earlier in the event of total and permanent disability. Total and permanent disability means a physical or mental condition of an eligible participant resulting from a bodily injury or disability or mental disorder which renders him incapable of engaging in an occupation and performing any work for profit, which disability shall be certified by one physician selected by participant and one physician selected by the members of the Mobile County commission or their successors.

Section 4. In the event that any such official shall have served as an elected official of more than one such governmental unit within the county, each such governmental unit shall pay to the qualified official or former official their pro rata share of the total compensation paid to the official or former official; and the amount of such annual retirement pay shall be equal to fifty per cent (50%) of average compensation in participant's ten highest paid years while in covered employment. The pro rata share to be paid by such governmental unit shall be based on the length of service of such qualified official with each respective unit.

Section 5. The County governing body and the City governing bodies shall order the payments provided in this Act from their respective general funds of the above-mentioned retirement allowance to such elected officials and former elected officials who are qualified under the terms of this Act, the said retirement allowance to be paid in monthly installments not later than the (10th) tenth of each month following the month for which the allowance is due.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. The provisions of this Act shall become operative only when approved by a majority of the qualified electors of the county voting in a referendum held for that purpose. The first referendum shall be held on the same day as the first countywide primary, general, or special election held in the county after the passage of this Act. The county commission of Mobile County shall order and provide for holding the referendum on such date. Subsequent elections on the question may be ordered and provided for by the governing body of the county at intervals of not less than one year if the county fails to approve the Act. Any election held hereunder shall be governed by the laws applicable to general elections held in Mobile County.

Section 8. All laws or parts of laws which conflict with this Act repealed.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, Aug. 4, 11, 18, 25, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 25 day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

By Mrs. Fields (with notice and proof):

H. 292. To provide for the collection and enforcement by the State Department of Revenue of Sales and Use Taxes levied or assessed by the City of Prichard, Mobile County, Alabama.

Local Legislation No. 3.

Notice and Proof H. 292:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of the State of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the collection and enforcement by the State Department of Revenue of Sales and Use Taxes levied or assessed by the City of Prichard, Mobile County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. On the request of the governing body of the City of Prichard, Alabama, the State Department of Revenue shall collect any Privilege License Tax levied by such City under the provisions of a Municipal Ordinance; provided the levy parallels the State levy of Sales and Use Taxes, except for rate of taxes and is subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applied to the State Sales and Use Taxes levied by Act 100, H. 94, Second Special Session 1959, and Article 11, Chapter 20 of Title 51, Code of Alabama 1940, and all Acts amendatory thereof or supplementary thereto except where inapplicable or where herein otherwise provided, including provisions for enforcement and collection of the taxes, if the Ordinance is duly promulgated and adopted by the governing body of such City and a certified copy of the Ordinance is filed with the State Department of Revenue.

Section 2. Such Municipal taxes shall be collected by the State Department of Revenue at the same time and along with the collection by the Department of Revenue of taxes levied and collected by the State under the provisions of said Act No. 100, H. 94, Second Special Session 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended; and all reports required to be made to the Commissioner of Revenue pursuant to this Act shall, on request made to the Commissioner of Revenue pursuant to this Act shall, on request made to the Department of Revenue, be made available for inspection by the governing body of the City of Prichard or its duly authorized agent at reasonable times during business hours.

Section 3. The Department of Revenue shall prepare and distribute such reports, blank forms, and other information as may be necessary to provide for the collection of the municipal taxes herein before referred to for the City of Prichard, and shall have all authority and duties hereunder as it has in connection with the collection of the State Sales and Use Taxes provided for by said Act No. 100 and said Article 11 of Chapter 20, Title 51, Code of Alabama 1940 as Amended and Supplemented.

Section 4. It shall be the duty of the Commissioner of Revenue to pay into the State Treasury all municipal taxes collected under this Act, and on or before the first day of the following month, such Commissioner shall certify to the Comptroller the amount of special taxes collected for the City of Prichard during the calendar month immediately preceding the making of such certificate. The amount certified by the Commissioner of Revenue as having been collected for the use of the City of Prichard, less collection charges deducted, shall be paid to the City Clerk or other custodian of funds of the City of Prichard. The State Department of Revenue shall charge the City of Prichard for collecting such municipal license taxes the cost to the Department for making such collections, provided such charge shall not exceed 10 per cent of the amount collected. The Comptroller shall once each month draw his warrant for the funds collected under this Act payable to the Department of Revenue for the amount of such charges as determined by the Commissioner of Revenue.

Section 5. The Commissioner of Revenue may employ special counsel when necessary from time to time to enforce collection of Municipal License Taxes for the City of Prichard, and otherwise to enforce the provisions of the Ordinance levying such taxes, including any litigation required, and the Department of Revenue may pay special counsel such fees as the Commissioner of Revenue considers reasonable and proper from the proceeds of the taxes payable to the City of Prichard under the provisions of this Act.

Section 6. Any amendment of any Municipal Ordinance heretofore adopted levying a tax required to be collected hereunder shall not be effective until the first day of the month following the expiration of 30 days from the date such amendment becomes effective. The Department of Revenue shall not be required to make any collection of Municipal Taxes or otherwise perform any duty as provided for herein until a certified copy of the Ordinance and amendments thereto has been on file with the Department of Revenue for the last 30 days.

Section 7. All laws or parts of laws in conflict with the provisions hereof are hereby repealed insofar as they do conflict.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part remaining.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, Aug. 4, 11, 18, 25, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 25 day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. 226. To provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

Also:

H. J. R. 40. Relative to commending and congratulating Joseph Palumbo of Selma, Alabama.

Also:

H. J. R. 41. Relative to commending and congratulating William B. Camp of Fort Payne, Alabama.

Also:

H. J. R. 47. Relative to the binding of the Journals of the House and Senate for the Special Session of August 1964.

Also:

H. J. R. 48. Relative to providing for assistants in checking House and Senate records.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bailes the House concurred in and adopted the Senate amendment to the bill, H. 81, said Senate amendment being as follows:

AMENDMENT TO H. B. 81

In Section 2 (a) add the following words and figures: As used herein, "any type of independent use" includes residential, commercial, or industrial use.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Nettles
Albea	Cornett	Harper	Paulk
Bailes	Crawford	Hawkins	Pennington
Barnett	Daniel	Heflin	Perry
Bassett	Davis	Hester	Pierce
Bevill	Doggett	Hogan	Powell
Boston	Dominick	Holladay	Rogers
Bowers	Edington	Jones (Covington)	Salter
Branyon	Edwards (Escambia)	Jones (Monroe)	Scurlock
Brown (Tuscaloosa)	Edwards (Lowndes)	Locke	Smith
Burnham	Engel	McCorquodale	Snell
Callahan	Etheredge	McDermott	Steagall
Camp	Fields	Meeks	Sullivan
Campbell (Tuscaloosa)	Glass	Merrill	Tuck
Casey	Goldthwaite	Moore	Turner (Limestone)
Cates	Hankins	NeSmith	Young
Cook			

—65

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

And said Bill, H. B. 137, as amended by the Conference Report, was again read at length and passed.

And said Bill, H. B. 137, together with the report of the Committee on Conference, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 124, with a suggested executive amendment.

Respectfully submitted,
EARL C. MORGAN,
Executive Secretary.

AUGUST 28, 1964

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 124, with a suggested executive amendment, as follows:

Amend Section 1 of House Bill 124 by striking therefrom the words "thirty-three hundred dollars per annum" wherever they appear therein, and substitute in lieu thereof the words "four thousand dollars per annum".

This suggested executive amendment is made with the full knowledge and approval of the authors of said bill and if adopted will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE
Governor.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 124, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Paulk
Albea	Cooper	Hawkins	Pennington
Avery	Cornett	Heflin	Perry
Bailes	Crawford	Hester	Pierce
Barnett	Daniel	Hogan	Powell
Bassett	Davis	Holladay	Rogers
Beyill	Doggett	Jones (Covington)	Salter
Boston	Edington	Jones (Monroe)	Scurlock
Bowers	Edwards (Escambia)	Locke	Smith
Branyon	Edwards (Lowndes)	McCorquodale	Snell
Brown (Jefferson)	Engel	McDermott	Steagall
Brown (Tuscaloosa)	Etheredge	Meeks	Sullivan
Burnham	Fields	Merrill	Teel
Camp	Fite	Moore	Thomas
Campbell (Tuscaloosa)	Glass	Morrow	Tuck
Carr	Goldthwaite	Nabors	Turner (Crenshaw)
Casey	Hankins	NeSmith	Turner (Limestone)
Cates	Hannah	Nettles	Young

—72

Which was a majority of the whole number elected to the House.

And said bill:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Paulk
Albea	Cornett	Hawkins	Pennington
Bailes	Crawford	Heflin	Perry
Barnett	Daniel	Hester	Pierce
Bassett	Davis	Hogan	Powell
Bevill	Doggett	Holladay	Rogers
Boston	Edington	Jones (Covington)	Salter
Bowers	Edwards (Escambia)	Jones (Monroe)	Scurlock
Branyon	Edwards (Lowndes)	Locke	Sessions
Brown (Jefferson)	Engel	McCorquodale	Smith
Brown (Tuscaloosa)	Etheredge	McDermott	Snell
Burnham	Fields	Meeks	Steagall
Camp	Fite	Merrill	Sullivan
Campbell (Tuscaloosa)	Glass	Moore	Teel
Carr	Goldthwaite	Morrow	Thomas
Casey	Grouby	Nabors	Turner (Crenshaw)
Cates	Hankins	NeSmith	Turner (Limestone)
Cook	Hannah	Nettles	Young

—72

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 148, without his approval.

Respectfully submitted,

EARL C. MORGAN,
Executive Secretary.

AUGUST 28, 1964

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 148, without my signature and approval.

Senate Bill 5, which has passed both Houses of the Legislature and was approved by me on August 26, 1964, now Act 138, accomplishes the purpose for which this bill was introduced.

This action is taken with the full knowledge and approval of the author of the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

The question was upon the passage of the bill, H. 148, the Governor's veto to the contrary notwithstanding.

And the bill, H. 148, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 4; Nays 57.

Yeas:

Messrs.	Salter	Sullivan	Turner (Crenshaw)	
Cates				—4

Nays:

Mr. Speaker	Crawford	Hankins	NeSmith	
Albea	Daniel	Hannah	Nettles	
Bailes	Davis	Harper	Paulk	
Barnett	Doggett	Hawkins	Perry	
Bassett	Dominick	Heflin	Rogers	
Boston	Edington	Hogan	Scurlock	
Bowers	Edwards (Escambia)	Holladay	Sessions	
Branyon	Engel	Jones (Covington)	Snell	
Burnham	Etheredge	Jones (Monroe)	Steagall	
Camp	Fields	McCorquodale	Thomas	
Carr	Fite	Meeks	Tuck	
Casey	Glass	Merrill	Turner (Limestone)	
Cook	Goldthwaite	Moore	Vacca	
Cooper	Grouby	Nabors	Young	
Cornett				—57

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Also:

S. 19. To amend the Title and Section 1 of Act No. 663, S. 132, approved September 6, 1961 (Acts of 1961, p. 827) entitled "An Act to provide for and regulate general and special elections in the cities and towns of this State, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers: Providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections: Providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast: Designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor: Prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the City or Town holding such elections."

Also:

S. 88. To amend further Code of Alabama 1940, Title 37, Section 440, in relation to the compensation of the mayor of any city having a population of not less than 28,000 nor more than 29,000.

Also:

S. 119. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

Also:

S. J. R. 20. Commending the American Legion and Auxiliary for their efforts in behalf of the enshrinement of the USS ALABAMA.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 42. Memorializing Congress to initiate a Constitutional amendment in relation to residential qualifications of United States Senators.

Also:

H. J. R. 51. Relative to the establishment of a Confederate memorial park on the site of the former Mountain Creek Soldiers' Home and the Mountain Creek Cemetery.

Also:

H. J. R. 43. Expressing sorrow at the passing of the Honorable Alex E. Brantley.

Also:

H. J. R. 45. Appointing Mrs. Clara Stone Fields as Alabama delegate to the National Convention of the Order of Women Legislators in Puerto Rico and appropriating her expenses.

Also:

H. J. R. 49. Expressing regret at the passing of Mr. L. C. Abbott.

Also:

H. J. R. 46. Urging citizens of Alabama to observe special care on the highways on Labor Day weekend.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 32. Naming the new school building at Skipperville, Alabama the "George W. Long Skipperville School".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 91. To amend Sections 773 and 778 of Title 37, Code of Alabama, relating to the publication of zoning ordinances; providing that any zoning ordinance heretofore published in accordance with the provisions of this Act shall be deemed to have been lawfully published.

Also:

H. 219. To provide additional judges for the tenth judicial circuit of Alabama.

Also:

H. 133. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2(b), Act No. 100, Second Special Session 1959.

MCDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Perry:

H. J. R. 53. BE IT RESOLVED by the House, the Senate concurring, that when the two houses adjourn today they adjourn to meet again on Friday, September 11, 1964.

BE IT FURTHER RESOLVED that such adjournment is for the express purpose of allowing reasonable time to get a ruling from the District Court of the United States for the Southern District of Alabama, Southern Division, on the constitutionality of Act No. 21 of the Special Session of the Legislature now in session.

BE IT FURTHER RESOLVED that said adjournment be without pay.

BE IT FURTHER RESOLVED that the Secretary of State be directed to direct by certified mail a copy of this resolution to the District Court.

Mr. Perry moved to suspend the rules and adopt the resolution, H. J. R. 53.

Mr. Jones (Monroe) called for a division of the question.

Mr. Perry then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 53, and said motion was lost.

Yeas 28; Nays 46.

Yeas:

Messrs.	Camp	Locke	Perry
Barnett	Campbell (Tuscaloosa)	Meade	Posey
Bethea (M)	Davis	Meeks	Powell
Boston	Dominick	Morrow	Rogers
Bowers	Etheredge	Nabors	Salter
Branyon	Gilmore	Nettles	Sessions
Brown (Jefferson)	Hawkins	Pennington	Tuck
Callahan			

—28

Nays:

Mr. Speaker	Cornett	Hankins	Paulk
Albea	Crawford	Hannah	Pierce
Bailes	Doggett	Harper	Scurlock
Bassett	Edgington	Jones (Covington)	Snell
Bevill	Edwards (Escambia)	Jones (Monroe)	Steagall
Burnham	Edwards (Lowndes)	Little	Stembridge
Burns	Engel	McCorquodale	Teel
Carr	Fields	McDermott	Thomas
Casey	Fite	Merrill	Turner (Crenshaw)
Cates	Glass	Moore	Turner (Limestone)
Cook	Goldthwaite	NeSmith	Young
Cooper	Grouby		

—46

And the resolution, H. J. R. 53, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

said Governor's Message being in words and figures as follows, to-wit:

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 131, with a suggested executive amendment, as follows:

Amend Section 2 of Senate Bill 131, by striking therefrom in line three of said section, the word "shall" and substitute in lieu thereof the word "may".

This said suggested executive amendment is made with the full knowledge and approval of the authors of said bill and if adopted will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the Senate has concurred in and adopted the Executive Amendment to the Bill, S. B. 131, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24 Nays 0.

And said Bill, S. B. 131, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 131, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Burnham	Daniel	Fite
Albea	Callahan	Davis	Gilmore
Bailes	Camp	Doggett	Glass
Barnett	Campbell (Tuscaloosa)	Dominick	Goldthwaite
Bassett	Carr	Edington	Grouby
Bevill	Cates	Edwards (Escambia)	Hankins
Boston	Cook	Edwards (Lowndes)	Hannah
Bowers	Cooper	Engel	Heflin
Branyon	Cornett	Etheredge	Hester
Brown (Jefferson)	Crawford	Fields	Hogan

Holladay	Merrill	Posey	Stembridge
Jones (Covington)	Moore	Powell	Sullivan
Jones (Monroe)	Morrow	Rogers	Teel
Little	Nabors	Salter	Tuck
Locke	Nettles	Scurlock	Turner (Crenshaw)
McCorquodale	Paulk	Sessions	Turner (Limestone)
McDermott	Pennington	Snell	Vacca
Meade	Perry	Steagall	Young

—72

Which was a majority of the whole number elected to the House.

And said bill:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cornett	Heflin	Perry
Albea	Crawford	Hester	Pierce
Avery	Daniel	Hogan	Posey
Bailes	Davis	Holladay	Powell
Barnett	Doggett	Jones (Covington)	Rogers
Bassett	Dominick	Jones (Monroe)	Salter
Bevill	Edington	Little	Scurlock
Boston	Edwards (Escambia)	Locke	Sessions
Bowers	Edwards (Lowndes)	McCorquodale	Snell
Branyon	Engel	McDermott	Steagall
Brown (Jefferson)	Etheredge	Meade	Stembridge
Burnham	Fields	Meeks	Sullivan
Callahan	Fite	Merrill	Teel
Camp	Gilmore	Moore	Thomas
Campbell (Tuscaloosa)	Glass	Morrow	Tuck
Carr	Goldthwaite	Nabors	Turner (Crenshaw)
Casey	Grouby	NeSmith	Turner (Limestone)
Cates	Hankins	Nettles	Vacca
Cook	Hannah	Paulk	Young
Cooper	Harper	Pennington	

—79

Which was a majority of the whole number elected to the House.

RESOLUTION

The following resolution was introduced:

By Mr. Sullivan:

H. J. R. 54. WHEREAS the National Broadcasting Company by means of both radio and television has repeatedly and consistently presented news regarding the South and Southerners in such a biased and prejudiced manner as to be slanderous to this section of the country and its people; and

WHEREAS the N.B.C. has been diligent in its efforts to twist facts, to cast aspersions, to ridicule, and to belittle the South at every possible opportunity. Newscasters have evidently been instructed or encour-

aged to select subject matter which may be, and frequently is, distorted and given improper emphases, and to conduct interviews so as to place persons and situations existing in the South in an unfavorable light. Cameramen are quick to divert their lenses from persons or areas which advantageously portray southern interests, and to focus them on less favorable material. Such practices have been particularly noticeable during the current National Democratic Convention. Half truths and intentional deletions of full facts are the rule rather than the exception of these managed news media; and

WHEREAS honest and factual reporting of the news is a duty in the nature of a public trust, and editorial comment should be clearly indicated and kept within the bounds of common decency and fairness by all persons including those who view this region with envy, jealousy, and misguided crusading spirits; and

WHEREAS this duty has not only been neglected by N.B.C. which enjoys a limited monopoly of the air waves, but has been completely disregarded and flagrantly abused by this network in violation of its privileged status; and

WHEREAS the people of the South who want nothing more from national news media than a fair and just reporting of facts, have finally grown not only a little weary and a bit impatient of these undignified, unfair and untrue comments of N.B.C., but are pretty well satiated with such insults. Under current circumstances, Southerners have little recourse against such prejudiced and unprincipled reporting by power hungry, money grubbing, little men of narrow minds whose Achilles heel is the pocket book; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That all Southerners and people who love the South be urged to refuse to patronize the National Broadcasting Company and to refrain from buying products advertised by that company until such time it demonstrates a fair and realistic reporting of all news.

Be It Further Resolved That a copy of this resolution be sent to radio station W.S.F.A.; W.S.F.A.-T.V.; and to the president of the National Broadcasting Company.

Mr. Sullivan moved to suspend the rules and adopt the resolution, H. J. R. 54.

Mr. Dominick called for a division of the question.

Mr. Sullivan then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 54, and said motion was adopted.

Yeas 42; Nays 7.

Yeas:

Mr. Speaker	Edwards (Escambia)	Little	Posey
Bethea (B)	Gilmore	Locke	Powell
Bowers	Goldthwaite	Moore	Rogers
Branyon	Grouby	Morrow	Salter
Brown (Jefferson)	Hankins	Nettles	Scurlock
Brown (Tuscaloosa)	Harper	Owens	Snell
Casey	Hawkins	Paulk	Sullivan
Cates	Heflin	Pennington	Thomas
Cornett	Hester	Perry	Tuck
Daniel	Hogan	Pierce	Young
Doggett	Jones (Covington)		

Nays:

Messrs.	Boston	Dominick	Etheredge
Bailes	Callahan	Edington	McDermott

—7

The presence of a quorum was questioned. The Speaker ruled a quorum present.

And said resolution, H. J. R. 54, was adopted.

Yeas 45; Nays 3.

Yeas:

Mr. Speaker	Doggett	Little	Posey
Avery	Edwards (Escambia)	Locke	Powell
Barnett	Gilmore	McCorquodale	Rogers
Bethea (B)	Grouby	Moore	Salter
Bevill	Hankins	Morrow	Scurlock
Bowers	Harper	Nettles	Snell
Branyon	Hawkins	Owens	Stembridge
Brown (Jefferson)	Heflin	Paulk	Sullivan
Brown (Tuscaloosa)	Hester	Pennington	Thomas
Cates	Jones (Covington)	Perry	Vacca
Crawford	Jones (Monroe)	Pierce	Young
Daniel			

—45

Nays:

Messrs.	Bailes	Boston	Tuck
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—3

The presence of a quorum was questioned. The Speaker ruled a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Hawkins:

S. J. R. 19. BE IT RESOLVED by the Senate of the State of Alabama, the House of Representatives concurring that:

WHEREAS, the Alabama State Bar at its annual meeting in July, 1964 adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Alabama State Bar recommends the adoption by the Alabama Legislature of the Uniform Commercial Code and that the committee of the Bar heretofore appointed to study and make recommendations as to the adoption of the Code in Alabama be, and the same is hereby, authorized and directed to prepare in cooperation with other interested organizations a draft of a bill embodying the Code and arrange for its presentation for enactment at the next regular session of the Alabama Legislature in 1965.

WHEREAS, the consideration of the Uniform Commercial Code by the Alabama Legislature in 1965 will be materially facilitated by the appointment of an interim legislative committee at this time which can

give continuing study and consideration to the problems of drafting and adopting the Code to the present law of Alabama.

THEREFORE, BE IT RESOLVED:

1. There is hereby established an interim legislative committee on the Uniform Commercial Code, which shall consist of nine members, of whom four shall be appointed from the Senate by the President of the Senate and five of whom shall be appointed from the House of Representatives by the Speaker.

2. The committee shall elect a chairman, and shall meet at the call of the chairman or at such times and places as it may determine, and shall hold such hearings and conferences with representatives of the Alabama State Bar, the Alabama Banker's Association, and other interested groups and individuals, as the committee deems advisable for the purpose of considering the effects of the adoption of the Uniform Commercial Code in this state, and shall assist in the preparation of a bill embodying the Code for introduction in the 1965 regular session of the Legislature. The committee shall cause the bill so prepared and approved to be printed in sufficient numbers for such distribution as the committee shall determine. The committee shall serve until time as it makes its report and recommendations to the 1965 regular session with respect to the Uniform Commercial Code.

3. The members of the committee shall serve without compensation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Casey the rules were suspended and the House concurred in and adopted the S. J. R. 19 set out in the above and foregoing Message from the Senate.

H. 93 POSTPONED

On motion of Mr. Locke, consideration of the bill, H. 93, was postponed until the next legislative day.

BILLS ON THIRD READING

S. 148. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Bevill	Campbell (Tuscaloosa)	Dominick
Albea	Bolton	Carr	Edington
Avery	Boston	Casey	Engel
Bailes	Bowers	Cook	Etheredge
Baker (DeKalb)	Branyon	Cooper	Fields
Barnett	Brown (Jefferson)	Cornett	Glass
Bassett	Burnham	Crawford	Grouby
Bethea (B)	Burns	Daniel	Hain
Bethea (M)	Camp	Doggett	Hankins

Hannah	Meeks	Perry	Steagall
Harper	Moore	Pierce	Stembridge
Heflin	Morrow	Posey	Teel
Hogan	Nabors	Powell	Thomas
Jones (Covington)	NeSmith	Rogers	Tuck
Jones (Monroe)	Nettles	Salter	Turner (Crenshaw)
Locke	Owens	Scurlock	Turner (Limestone)
McCorquodale	Paulk	Sessions	Vacca
McDermott	Pennington	Snell	Young
Meade			

—73

And the bill:

S. 153. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Perry
Albea	Cook	Heflin	Pierce
Avery	Cooper	Hogan	Posey
Bailes	Cornett	Jones (Covington)	Powell
Baker (DeKalb)	Crawford	Jones (Monroe)	Rogers
Barnett	Daniel	Locke	Salter
Bassett	Doggett	McCorquodale	Scurlock
Bethea (B)	Edington	McDermott	Sessions
Bethea (M)	Edwards (Escambia)	Meade	Snell
Bevill	Edwards (Lowndes)	Meeks	Steagall
Boston	Engel	Moore	Stembridge
Branyon	Etheredge	Morrow	Sullivan
Brown (Jefferson)	Fields	Nabors	Teel
Burnham	Glass	NeSmith	Thomas
Burns	Grouby	Nettles	Tuck
Camp	Hain	Owens	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hankins	Paulk	Turner (Limestone)
Casey	Hannah	Pennington	Young

—72

And the bill:

S. 154. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brown (Jefferson)	Cates
Albea	Bethea (M)	Burnham	Cook
Avery	Bevill	Burns	Cooper
Bailes	Bolton	Camp	Cornett
Baker (DeKalb)	Boston	Campbell (Tuscaloosa)	Crawford
Barnett	Branyon	Casey	Daniel

Doggett	Harper	NeSmith	Sessions
Dominick	Heflin	Nettles	Snell
Edington	Hogan	Owens	Steagall
Edwards (Escambia)	Jones (Covington)	Paulk	Stembridge
Edwards (Lowndes)	Jones (Monroe)	Pennington	Sullivan
Engel	Locke	Perry	Teel
Etheredge	McCorquodale	Pierce	Thomas
Fields	McDermott	Posey	Tuck
Glass	Meade	Powell	Turner (Crenshaw)
Grouby	Meeks	Rogers	Turner (Limestone)
Hain	Moore	Salter	Vacca
Hankins	Morrow	Scurlock	Young
Hannah	Nabors		

—74

And the bill:

S. 150. An Act to revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963, (Ala. Acts, 1963, page 963, et seq.)

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Perry
Albee	Cooper	Heflin	Pierce
Avery	Cornett	Hogan	Posey
Bailes	Crawford	Holladay	Powell
Baker (DeKalb)	Daniel	Jones (Covington)	Rogers
Barnett	Doggett	Jones (Monroe)	Salter
Bassett	Dominick	Locke	Scurlock
Bevill	Edington	McCorquodale	Snell
Bolton	Edwards (Escambia)	McDermott	Steagall
Boston	Edwards (Lowndes)	Meade	Stembridge
Branyon	Engel	Meeks	Sullivan
Brown (Jefferson)	Etheredge	Morrow	Teel
Burnham	Fields	Nabors	Thomas
Burns	Glass	NeSmith	Tuck
Camp	Grouby	Nettles	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hain	Owens	Turner (Limestone)
Carr	Hankins	Paulk	Vacca
Casey	Hannah	Pennington	Young
Cates			

—73

BILLS POSTPONED

On motion of Mr. Nabors, consideration of the bill, H. 28, was postponed until the next legislative day.

On motion of Mr. Rogers, the bill, H. 138, was indefinitely postponed.

On motion of Mr. Casey, consideration of the bills, H. 15 and H. 16, was postponed until the next legislative day.

On motion of Mr. Hogan, consideration of the bill, H. 259, was postponed until the next legislative day.

On motion of Mr. Morrow, consideration of the bill, H. 250, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

S. 140. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Perry
Albea	Cook	Hawkins	Pierce
Avery	Cooper	Heflin	Posey
Bailes	Cornett	Hogan	Powell
Baker (DeKalb)	Crawford	Holladay	Rogers
Barnett	Daniel	Jones (Covington)	Salter
Bassett	Davis	Jones (Monroe)	Scurlock
Bethea (B)	Doggett	Locke	Sessions
Bethea (M)	Dominick	McCorquodale	Snell
Bevill	Edington	McDermott	Steagall
Blanton	Edwards (Escambia)	Meade	Stembridge
Bolton	Edwards (Lowndes)	Meeks	Sullivan
Boston	Etheredge	Moore	Teel
Bowers	Fields	Morrow	Thomas
Burnham	Glass	NeSmith	Tuck
Burns	Grouby	Nettles	Turner (Crenshaw)
Camp	Hain	Owens	Turner (Limestone)
Campbell (Tuscaloosa)	Hankins	Paulk	Vacca
Carr	Hannah	Pennington	Young
Casey			

—77

And the bill:

H. 249. To amend Code of Alabama 1940, Title 8, Section 39, which relates to nonresident state fishing licenses.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 50; Nays 5.

Yeas:

Mr. Speaker	Camp	Hain	Posey
Albea	Campbell (Tuscaloosa)	Hankins	Salter
Avery	Cook	Hannah	Sessions
Baker (DeKalb)	Cornett	Harper	Steagall
Barnett	Davis	Little	Stembridge
Bassett	Doggett	McCorquodale	Sullivan
Bevill	Dominick	McDermott	Thomas
Blanton	Edington	Meeks	Tuck
Boston	Edwards (Escambia)	Moore	Turner (Crenshaw)
Bowers	Edwards (Lowndes)	NeSmith	Turner (Limestone)
Branyon	Fields	Pennington	Vacca
Brown (Tuscaloosa)	Gilmore	Pierce	Young
Burnham	Glass		

—50

Nays:

Messrs.	Etheredge	Nabors	Paulk
Crawford	Jones (Covington)		

—5

And the bill:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Was read a third time at length and passed.

Yeas 71; Nays 1.

Yeas:

Mr. Speaker	Cook	Harper	Pierce
Albea	Cooper	Hawkins	Posey
Avery	Cornett	Heflin	Rogers
Bailes	Crawford	Holladay	Salter
Barnett	Daniel	Ingram	Scurlock
Bassett	Doggett	Jones (Monroe)	Sessions
Bethea (B)	Dominick	Little	Snell
Bethea (M)	Edington	Locke	Steagall
Bevill	Edwards (Escambia)	Meade	Stembridge
Bolton	Edwards (Lowndes)	Meeks	Sullivan
Boston	Etheredge	Merrill	Teel
Bowers	Fields	Moore	Thomas
Branyon	Gilmore	Morrow	Tuck
Brown (Tuscaloosa)	Glass	NeSmith	Turner (Grenshaw)
Burnham	Grouby	Nettles	Turner (Limestone)
Camp	Hain	Paulk	Vacca
Casey	Hankins	Pennington	Young
Cates	Hannah	Perry	

—71

Nays: Mr. Jones (Covington)

—1

RESOLUTION

The following resolution was introduced:

By Mr. Locke:

H. J. R. 55. WHEREAS the House of Representatives by Resolution No. 168 created a Legislative Textbook Committee the purpose of which was:

“That the purpose of the Legislative Textbook Committee H. R. 168—shall be to conduct interviews during the interim between the 1963 Regular Session and the 1965 Regular Session on the below designated subjects and to report back to the 1965 Regular Session.

The said committee shall:

(a) Investigate or cause to be investigated the textbooks currently used in the public schools in line with charges made that the said books are not books that present our country in a proper light from the standpoint of patriotism, character and religious emphasis.

(b) The committee shall inquire into the reason that only 4 books authored by Alabama teachers are used in the public school system of Alabama. That only 6 books out of 151 adopted and used in the public schools of Alabama are published in the State of Alabama; and shall further inquire into the feasibility of creating a fund to encourage Alabama teachers at the grade school, high school and college level to author books and thereby increase the prestige of the Alabama public school system.”

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING; That for the purpose of carrying out the functions of the above committee the Legislature authorizes an expenditure of not to exceed \$3,000., the cost to be paid upon approval of the chairman of the committee. The members to be paid the regular per diem for each full day of work and authorized to employ help as needed, to be drawn from funds appropriated for legislative expense.

Mr. Locke moved to suspend the rules and adopt H. J. R. 55.

Mr. Casey called for a division of the question.

Mr. Locke then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 55, and said motion was adopted.

Yeas 63; Nays 12.

Yeas:

Mr. Speaker	Callahan	Harper	Pennington
Albea	Camp	Hawkins	Perry
Avery	Carr	Hogan	Pierce
Baker (DeKalb)	Cates	Ingram	Powell
Barnett	Crawford	Jones (Covington)	Rogers
Bassett	Daniel	Little	Salter
Bethea (H)	Davis	Locke	Scurlock
Bevill	Doggett	McCorquodale	Sessions
Blanton	Drake	Meade	Sullivan
Bolton	Edwards (Escambia)	Meeks	Thomas
Boston	Edwards (Lowndes)	Merrill	Tuck
Bowers	Gilmore	Morrow	Turner (Crenshaw)
Branyon	Glass	NeSmith	Turner (Limestone)
Brown (Tuscaloosa)	Goldthwaite	Nettles	Vacca
Burnham	Hain	Owens	Young
Burns	Hankins	Paulk	

—63

Nays:

Messrs.	Edington	Jones (Monroe)	Snell
Casey	Grouby	McDermott	Steagall
Cook	Hannah	Nabors	Stembridge
Cooper			

—12

And the resolution, H. J. R. 55, was adopted.

Yeas 68; Nays 9.

Yeas:

Mr. Speaker	Brown (Jefferson)	Doggett	Ingram
Albea	Brown (Tuscaloosa)	Drake	Jones (Covington)
Avery	Burnham	Edwards (Escambia)	Little
Baker (DeKalb)	Burns	Edwards (Lowndes)	Locke
Barnett	Callahan	Gilmore	McCorquodale
Bassett	Camp	Glass	Meade
Bethea (H)	Carr	Goldthwaite	Meeks
Bevill	Casey	Hain	Merrill
Blanton	Cates	Hankins	Morrow
Bolton	Cornett	Harper	NeSmith
Boston	Crawford	Hawkins	Nettles
Bowers	Daniel	Heflin	Owens
Branyon	Davis	Hogan	Paulk

Pennington	Rogers	Sullivan	Turner (Crenshaw)
Perry	Salter	Teel	Turner (Limestone)
Pierce	Scurlock	Thomas	Vacca
Powell	Sessions	Tuck	Young

—68

Nays:

Messrs.	Grouby	Nabors	Steagall
Cook	Hannah	Snell	Stembridge
Cooper	McDermott		

—9

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. J. R. 32. Relative to designating the new school building at Skipperville the "George W. Long Skipperville School".

Also:

H. J. R. 42. Relative to memorializing Congress to initiate a constitutional amendment in relation to residential qualifications of United States Senators.

Also:

H. J. R. 43. Relative to expressing regret upon the death of The Honorable Alex E. Brantley.

Also:

H. J. R. 45. Relative to the appointment of Mrs. Clara Stone Fields as Alabama's delegate to the National Convention of the Order of Women Legislators.

Also:

H. J. R. 46. Relative to requesting the Governor of Alabama to issue a proclamation urging Alabamians to exercise caution in driving on highways during Labor Day Weekend.

Also:

H. J. R. 51. Relative to the establishment of a Confederate Memorial Park.

Also:

H. J. R. 49. Relative to expressing regret upon the death of Mr. L. C. Abbott of Shelby County.

Also:

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

Also:

H. 91. To amend Sections 773 and 778 of Title 37, Code of Alabama, relating to the publication of zoning ordinances; providing that any zoning ordinance heretofore published in accordance with the provisions of this Act shall be deemed to have been lawfully published.

Also:

H. 133. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2(b), Act No. 100, Second Special Session 1959.

Also:

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

Also:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000; providing civil service or merit system status for Chiefs of Police of such cities.

Also:

H. 219. To provide additional judges for the tenth judicial circuit of Alabama.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REMARKS OF MR. GOLDTHWAITE

Mr. Jones (Covington) requested that the following remarks of Mr. Goldthwaite be inserted in the Journal, and it was so ordered.

During the past year, we have witnessed a series of the most interesting events, politically speaking, that we have had occasion to observe in our life time. Here in Alabama for the first time since the Civil War, we have had a Governor, who, during a political year, has left the South to go into states in the Midwest and East making political speeches. His forays into hostile areas under adverse conditions has won the admiration of all true Alabamians. We have seen his encouragement and whole-hearted support of Democratic electors unpledged to the National Democratic nominee. In fact most of the unpledged electors themselves have stated that they would not under any circumstances vote for the Democratic nominee were that nominee to be Lyndon Johnson. These so-called unpledged electors were overwhelmingly victorious in the Democratic Primary in Alabama last May. These electors unflinchingly forsaked their allegiance to the National Democratic Party.

In July, we observed on television the Republican Convention in San Francisco and were overjoyed and tremendously impressed with the warm and gracious reception of our fellow Alabamians in the Cow Palace in San Francisco. We witnessed for the first time in our adult lives Alabama being welcomed with open arms, being gladly and warmly received and with almost their every wish within reason being gracious-

ly granted. We witnessed at the Republican Convention the nomination of a man for President whose viewpoint on the vast majority of the issues of the day coincide with the views held by a tremendous majority of my constituents here in Montgomery County and indeed by an overwhelming majority of people from all over the great state of Alabama.

After the Republican Convention, we were thrilled with pleasure and admiration with the wonderful, dynamic appearance of Gov. Wallace on "Face the Nation" as he manfully withdrew his nomination for the Presidency and released the unpledged electors from their commitments to him. We watched with the highest esteem his forthright position in forsaking allegiance to the National Democratic Party.

For the last few days we have watched with disgust the treatment accorded the Alabama and Mississippi delegations at the National Democratic Convention in Atlantic City. While these delegations have been singled out, questioned, and insulted at every turn, one contemplates the fact that as in 1960 none of our Senators and Congressmen deemed it wise to be in attendance—indeed an unfortunate situation.

In this year of 1964 it can truly be said that the Republican Party beckons the South—the National Democratic Party denies the South:

Unlike the "all things to all people" atmosphere that existed in Atlantic City, the Republican Convention was dominated by men of purpose. Earlier this year I attended the Alabama Republican Convention here at the Coliseum in Montgomery and observed first hand the wonderful manner in which men of good purpose made their cause known.

The situation that we find ourselves in today is not something new. It has been slowly over the years fermenting and during the past year reached its climax. Try as we might, we cannot erase the tremendous involvement in our daily lives of the so-called civil righters and their misled followers. Encouraged by the Kennedy Administration, we saw sit-ins, wait-ins, sit-downs, and the march on Washington. Encouraged by President Johnson, even after the passage of the so-called Civil Rights Bill, we saw the riots in Harlem, Rochester, and New Jersey. Those of us in the South, predominately of Anglo-Saxon descent, know full well the meaning and tradition of the Constitution and of our government and are fully aware that the results of the misled adventurers is a back down of law and order, results in mob rule, legislation at the hands of a bayonet, and the destruction of human liberty and individual freedom.

In witnessing the Democratic Convention, and comparing it with the Republican Convention as it relates to us here in Alabama and the South, and thinking of our ties with the National Democratic Party, I am mindful of what Sen. Goldwater in a speech here at the Coliseum in 1960 stated when he said, with a smile upon his face, that he too had formerly been a Democrat and that when he had switched to the Republican Party and voted for a Republican candidate he was extremely pleased that he had not come to the end of his life. In short, the world had not come to an end. I recall, too, during the General Election of 1962 when I was called upon to place my name on an advertisement which in effect stated that Democrats always stand up for Alabama, which was primarily an ad for Sen. Lister Hill, that I was one of three office holders in Montgomery that refused to engage in this hypocrisy. I have pondered at length the fact that my name has appeared on the ballot in Montgomery County on four different occasions within the last six years and on all four occasions the Negro Bloc vote has seen fit to vote against me. Those of you in the Legislature who know me know well that I am not a rabble-rouser. My record in the Legislature is primarily one of seeking fiscal responsibility, of attempting as much as possible under our party system to plug up some of the holes in the

bucket, to meeting the major issues of our times with proposals that would remedy situations crying out for adjustment. Although at times we have not always agreed, none of you here today can ever accuse me of being a demagogue. The fact that the Negro Bloc vote has voted against me on four different occasions indeed indicates the Negroes' rejection and complete lack of faith in the Constitution and responsible government!

We have witnessed the statements of Sen. Javits and Sen. Case that they cannot support Mr. Goldwater for the Presidency. We have seen at long last the conservatives within the Republican Party move into control of that party. We have witnessed at the same time the gradual elimination of the influence within the National Democratic Party of men such as Sens. Dick Russell and Harry Byrd. The National Democratic Party has become the party of the Kennedys, Martin Luther Kings, and "anything for expediency" Lyndon Baines Johnson. And now let me add Hubert Humphrey—the full-faced, babbling peddler of every radical idea the South is opposed to, has been thrust upon us. For all practical purposes this alignment within the Democratic Party will remain for the next several decades. It is apparent to me that the main hope for those of us who strongly believe in America and for what it stands is to help insure that the Republican Party shall not fall back into a "me-too" party, an imitation party, that it will continue its successful drive to become the party of constitutional government.

Considering the Negro activities in the Democratic National Convention in Atlantic City, and believing as I do in the orderly process of constitutional government, remembering full well that I am named after a signer of the Declaration of Independence, I hereby today wish to make public the fact that I not only agree with Gov. Wallace, stating that I cannot support Lyndon Johnson in November, and going even further and facing up to what I believe to be the greatest opportunity that I and the people of Alabama have ever enjoyed, I intend to cast my vote in November for a man, who, God willing, will be the next President of the United States, Sen. Barry Goldwater.

In conclusion, if we are to insure that the Republican Party does not fall back into a "me-too" party, and if we are to insure that the Republican Party shall continue to offer the voters a clear cut choice between a conservative and liberal philosophy in this country, it is my opinion that efforts should be made to build a strong two-party system in Alabama. With that view in mind, I hereby declare that after the General Election in November, when and if I ever offer myself again for public service, it will be on the Republican ticket!

Regardless of the actions of the National Democratic Party, to leave the party of my ancestors is not easy and it only comes after considerable thought. My ties in the Democratic Party run deep.

Starting in 1822, members of my family have occupied at one time or another a great number of elected positions in this State. Eight members of this family have on various occasions been elected to this House of Representatives and one to the State Senate. Three have been Circuit Judges; one a Circuit Solicitor for 40 years; two were members of the Alabama Supreme Court, and one a member of the United States Senate. In addition, many have held responsible positions in the County Government.

So you see, I was raised in the Democratic Party.

At the present time on the local scene, I have many good friends who are Democratic office holders, some of whom face election in Montgomery County in November. For that reason, it is my intention not

to take an active part in any of the local races in Montgomery County this Fall.

Let me emphasize that after November, however, regardless of whether Sen. Goldwater wins or loses, I intend to assert myself in building a two-party system throughout Alabama. Although I shall not at this time ask others of you to join me in leaving the Democratic Party, I do hope that my actions in regard hereto will offer some degree of encouragement to those of you who have wrestled with this problem, and who have not as yet been satisfied as to which road to follow. Allow me to say that I stand at all times ready to give those of you who are in this state of indecision a helping hand, for I know indeed that this determination is a tremendous one.

It's been a pleasure being with you these past few weeks and I look forward to working with you next summer.

Thank you very much.

COMMUNICATION FROM GOVERNOR CARL E. SANDERS
OF GEORGIA

EXECUTIVE DEPARTMENT
ATLANTA

Carl E. Sanders
Governor

D. Douglas Barnard, Jr.
Executive Secretary

August 24, 1964

Honorable John W. Pemberton, Clerk
Alabama House of Representatives
State Capitol
Montgomery, Alabama

Dear Mr. Pemberton:

This is to acknowledge and thank you for your letter of August 20, 1964 enclosing House Joint Resolution No. 16, an invitation to address the Alabama General Assembly.

Unfortunately, a pressing schedule will prohibit me from accepting this invitation during your present Session.

With kindest regards and best wishes, I am

Sincerely,
CARL E. SANDERS,
Governor.

CES:yr

The Speaker ordered the above and foregoing communication inserted in the Journal.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 171, without his approval.

Respectfully submitted,
EARL C. MORGAN,
Executive Secretary.

AUGUST 28, 1964

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this Bill originated, House Bill 171, without my signature and approval.

Senate Bill 127, which has passed both Houses of the Legislature and was approved by me on August 24, 1964, now Act 59, is identical to this bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

The question was upon the passage of the bill, H. 171, the Governor's veto to the contrary notwithstanding.

And the bill, H. 171, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 0; Nays 59.

Nays:

Mr. Speaker	Cooper	Holladay	Perry
Bailes	Crawford	Ingram	Pierce
Barnett	Daniel	Jones (Covington)	Rogers
Bassett	Doggett	Jones (Monroe)	Scurlock
Bevill	Drake	Little	Sessions
Bolton	Edwards (Escambia)	McDermott	Snell
Bowers	Edwards (Lowndes)	Meade	Steagall
Branyon	Engel	Merrill	Stembridge
Brown (Jefferson)	Fields	Moore	Sullivan
Burnham	Glass	Morrow	Teel
Camp	Hain	Nabors	Tuck
Carr	Hannah	NeSmith	Turner (Crenshaw)
Casey	Harper	Nettles	Vacca
Cates	Heflin	Owens	Young
Cook	Hogan	Paulk	

—59

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24, Nays 0.

And said Bill, H. B. 124, together with the executive amendment is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 277. To amend Section 103 of Title 13, 1940 Code of Alabama, as amended, relating to the salary of Judges of the Court of Appeals.

Also:

H. 210. To amend Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to authorize any relative of a child to appoint by his last will and testament the mother or father as guardian; and giving the amendment retroactive effect.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 11. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings.

Also:

H. 1. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bailes the House concurred in and adopted the Senate amendment to the bill, H. 264, said Senate amendment being as follows:

AMENDMENT TO H. B. 264

House Bill 264 is hereby amended as follows:

After the words "Salvation Army, Inc." where they appear the second time in Section 1, insert "the Community Chest of Jefferson County and all real and personal property of the Community Chest of Jefferson County"

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hawkins	Owens
Avery	Cornett	Heflin	Paulk
Bailes	Crawford	Hogan	Perry
Baker (DeKalb)	Daniel	Holladay	Pierce
Barnett	Davis	Ingram	Posey
Bassett	Doggett	Jones (Covington)	Rogers
Bethea (B)	Drake	Jones (Monroe)	Salter
Bevill	Edwards (Escambia)	Little	Scurlock
Bolton	Edwards (Lowndes)	McCorquodale	Sessions
Boston	Engel	McDermott	Snell
Bowers	Etheredge	Meade	Steagall
Brown (Jefferson)	Fite	Meeks	Stembridge
Burnham	Gilmore	Merrill	Sullivan
Burns	Glass	Moore	Teel
Camp	Grouby	Morrow	Tuck
Carr	Hain	Nabors	Turner (Crenshaw)
Cates	Hannah	NeSmith	Vacca
Cook	Harper	Nettles	Young

—72

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

SENATE JOINT RESOLUTION

By Mr. Cooper:

S. J. R. 22. To provide for a legislative advisory and study committee with the Board of Corrections.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

1. There shall be established a joint legislative advisory and study committee with the Board of Corrections, to consist of three Representatives appointed by the Speaker of the House and two Senators appointed by the President of the Senate.

2. It shall be the duty of the committee (1) to work with the Board of Corrections to study the feasibility of relocating the State's prison facilities and to provide for the disposition of existing prison proper-

ties; (2) make plans for such a program; (3) make a report of its findings, conclusions, and recommendations to the Governor and to the Legislature at the earliest practicable date; submit to the Governor and to the Legislative Council drafts of any legislation needed to carry out the findings and recommendations of the committee not later than April 15, 1965.

3. The members of the committee shall select a chairman and vice chairman from among their own number, and shall meet at such time or times and at such places as the committee chairman of the committee may designate. The members of the Committee shall be entitled to their usual legislative per diem and expenses for attending committee meetings or when otherwise engaged on committee business while the Legislature is not in session. Provided, that no member of the Committee shall be paid for more than 30 days in any calendar year.

4. The committee chairman shall be authorized to employ such technical, clerical, professional, or other assistance as may be deemed necessary to carry out the functions of this Committee, and the compensation for technical, clerical, professional or other assistance shall be paid from any funds appropriated for the use of the Legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Turner (Crenshaw) moved to suspend the rules, concur in and adopt the S. J. R. 22 set out in the above and foregoing Message from the Senate.

Mr. Branyon called for a division of the question.

Mr. Turner (Crenshaw) then moved to suspend the rules in order to bring up for immediate consideration the resolution, S. J. R. 22, and said motion was adopted.

Yeas 50; Nays 12.

Yeas:

Mr. Speaker	Cooper	Hannah	Moore
Albea	Cornett	Harper	Nabors
Baker (DeKalb)	Crawford	Hawkins	Paulk
Barnett	Davis	Hogan	Pierce
Bassett	Doggett	Holladay	Scurlock
Bevill	Drake	Ingram	Steagall
Bolton	Edington	Jones (Covington)	Stembridge
Boston	Edwards (Escambia)	Little	Sullivan
Brown (Jefferson)	Engel	McCorquodale	Teel
Burnham	Fields	McDermott	Tuck
Camp	Fite	Meade	Turner (Crenshaw)
Cates	Glass	Meeks	Vacca
Cook	Hain		

—50

Nays:

Messrs.	Casey	Merrill	Perry
Bethea (H)	Edwards (Lowndes)	Morrow	Snell
Branyon	Jones (Monroe)	Nettles	Turner (Limestone)
Carr			

—12

And the resolution, S. J. R. 22, was concurred in and adopted.

Yeas 53; Nays 11.

Yeas:

Mr. Speaker	Cornett	Hain	Moore
Albea	Crawford	Hannah	NeSmith
Avery	Daniel	Harper	Nettles
Baker (DeKalb)	Davis	Hawkins	Paulk
Barnett	Doggett	Heflin	Pierce
Bassett	Drake	Hogan	Scurlock
Bevill	Edington	Holladay	Steagall
Bolton	Edwards (Escambia)	Ingram	Stembridge
Brown (Jefferson)	Engel	Jones (Covington)	Sullivan
Burnham	Fields	Jones (Monroe)	Teel
Camp	Fite	Little	Tuck
Cates	Gilmore	McDermott	Turner (Crenshaw)
Cook	Glass	Meade	Vacca
Cooper			

—53

Nays:

Messrs.	Carr	McCorquodale	Perry
Bethea (B)	Casey	Merrill	Snell
Branyon	Edwards (Lowndes)	Morrow	Turner (Limestone)

—11

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 141. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Also:

H. 269. Relating to counties with cities having populations of not less than 200,000 nor more than 300,000; regulating further the compensation of the judge of certain inferior civil courts.

Also:

H. 270. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census.

Also:

H. 271. Providing further for the compensation of members of the board of registrars in counties having not less than 48,500 nor more than 49,500 population according to the last or any subsequent federal decennial census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 274. To apply in counties having populations of not less than 19,500 nor more than 20,000; providing expense allowances for the chairman or presiding judge and members of the court of county commissioners, board of revenue, or other like governing body of the county.

Also:

H. 275. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Also:

H. 279. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended has passed the following House Bill and returns same herewith to the House:

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mrs. Fields the House concurred in and adopted the Senate amendments to the bill, H. 278, said Senate amendments being as follows:

SENATE AMENDMENT #1 TO H. 278

To amend Section 6, Subsections (a) and (b) of House Bill 278 to read as follows:

Section 6. (a) Each insurance company writing fire insurance on property in the City of Mobile shall, on or before the first day of March of each year, pay to the City of Mobile for credit to said Pension and Relief Fund, a sum equal to one-half of one per cent of the gross premiums, less returned premiums, received on policies insuring property situated within the corporate limits of such municipality during the preceding year; provided, however, that when said insurance companies

pay to the City a sum equal to four per cent of its net premiums, such companies shall not be required to pay the amount herein provided to said Pension and Relief Fund.

(b) Each such insurance company shall on or before the due date of such payment file with the Board of Commissioners or like governing body of the City a statement or report in writing, showing the gross amount of premiums less returned premiums, received on such policies during the preceding year; which statement or report shall be sworn to by the agent of such insurance company in the City, or some other person having knowledge of the facts; and any such insurance company failing to make and file such report and statement as aforesaid, shall forfeit to the City of Mobile for use of the Policemen's and Fire Fighter's Pension and Relief Fund, the sum of one thousand dollars, to be recovered against such insurance company violating the provisions hereof, or its agents, by suit brought in the name of the City, and all such forfeitures and penalties shall be and become a part of the Policemen's and Fire Fighter's Pension and Relief Fund.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Cook	Hain	NeSmith
Avery	Cooper	Hannah	Nettles
Bailes	Cornett	Harper	Paulk
Baker (DeKalb)	Crawford	Heflin	Perry
Barnett	Daniel	Hogan	Pierce
Bassett	Drake	Ingram	Rogers
Bevill	Edington	Jones (Covington)	Sessions
Blanton	Edwards (Escambia)	Jones (Monroe)	Smith
Boston	Edwards (Lowndes)	Little	Snell
Bowers	Engel	McCorquodale	Steagall
Brown (Jefferson)	Fields	McDermott	Stembridge
Brown (Tuscaloosa)	Fite	Meade	Sullivan
Campbell (Tuscaloosa)	Gilmore	Meeks	Teel
Carr	Glass	Moore	Tuck
Cates	Grouby	Morrow	Vacca

—60

And

SENATE AMENDMENT #2 TO H. 278

Amendment to H. B. 278

In Section 14, strike out the first sentence and insert in lieu thereof the following:

Any member or former member of the police or fire department who has been in the service thereof for as long as twenty consecutive years, upon making written application to the Board of Pensions therefor, shall, without medical examination or disability, be retired from service in such police or fire department; and, upon such retirement, the said Board of Pensions shall direct the payment to such retired member monthly from the Fund herein created a sum equal to fifty per cent of the monthly compensation or salary received by such member as salary in such fire or police department at the time of his retirement; provided, however, that said payments to said retired member of the police or fire department shall not commence or be effective earlier than the fifty-fifth birthday of the member.

Also, in Section 15 (a), after the word "continuous" strike out the words "and who has reached the age of fifty-five years or more"

Also, in Section 15 (b), after the words "as long as thirty years" strike out the words "and who has reached the age of fifty-five years or more"

Also, in Section 15 (c), after the words "thirty-five years or longer" strike out the words "and who has reached the age of fifty-five years or more"

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hannah	Nettles
Avery	Daniel	Harper	Paulk
Barnett	Davis	Hawkins	Perry
Bassett	Dominick	Heflin	Pierce
Bevill	Drake	Hogan	Rogers
Blanton	Edington	Ingram	Scurlock
Boston	Edwards (Escambia)	Jones (Covington)	Smith
Bowers	Edwards (Lowndes)	Jones (Monroe)	Snell
Brown (Jefferson)	Engel	Little	Steagall
Brown (Tuscaloosa)	Fields	McCorquodale	Stembridge
Campbell (Tuscaloosa)	Fite	McDermott	Sullivan
Carr	Gilmore	Meade	Teel
Cates	Glass	Meeks	Tuck
Cook	Grouby	Moore	Turner (Crenshaw)
Cooper	Hain	Morrow	Vacca
Cornett			

—61

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 280. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer; "to provide further for the compensation of the chief clerk in the office of the sheriff.

Also:

H. 281. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

Also:

H. 283. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Also:

H. 284. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Also:

H. 182. To provide for removal of prisoners from one municipal jail to another jail under certain specified conditions.

Also:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

McDOWELL LEE,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Brewer, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution, and ordered same returned to the House with the recommendation that it be adopted.

By Rules Committee:

H. J. R. 56. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two houses adjourn today that they adjourn sine die.

And H. J. R. 56 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Carter:

S. J. R. 23. BE IT RESOLVED BY THE SENATE, the House concurring, that a committee of three members of the Senate, and three members of the House do wait upon the Governor and inform him of the desire to adjourn sine die and to inquire if he wishes to send any message to both bodies before the sine die adjournment.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Carter and Mathews.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite the rules were suspended and the House concurred in and adopted the S. J. R. 23 set out in the above and foregoing Message from the Senate.

The Speaker appointed as Committee on part of the House Messrs. Casey, Turner (Limestone) and Rogers.

RESOLUTION

The following resolution was introduced:

By Mr. Bailes:

H. J. R. 57. Be it resolved by the House of Representatives, the Senate concurring that the unpledged Electors of the Democratic Party of Alabama, selected by the people, do now forthwith declare themselves to intend to cast their Electoral College votes for the Honorable George Corley Wallace, Governor of Alabama.

Mr. Bailes moved to suspend the rules and adopt the resolution, H. J. R. 57.

Mr. Rogers called for a division of the question.

Mr. Bailes then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 57, and said motion was lost.

Yeas 18; Nays 35.

Yeas:

Messrs.	Callahan	Dominick	McDermott	
Bailes	Camp	Edwards (Escambia)	Pierce	
Barnett	Campbell (Tuscaloosa)	Grouby	Powell	
Bolton	Cates	Hain	Steagall	
Brown (Tuscaloosa)	Cook	Holladay		—18

Nays:

Messrs.	Fite	Meade	Perry	
Albea	Hannah	Meeks	Rogers	
Avery	Hawkins	Merrill	Saiter	
Bethea (B)	Heflin	Moore	Scurlock	
Burnham	Hogan	Morrow	Snell	
Cooper	Jones (Covington)	NeSmith	Stembridge	
Daniel	Jones (Monroe)	Nettles	Sullivan	
Edwards (Lowndes)	Locke	Paulk	Tuck	
Etheredge	McCorquodale	Pennington	Turner (Crenshaw)	—35

And the resolution, H. J. R. 57, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 220. To alter, rearrange, and extend the boundaries of the City of Bessemer in Jefferson County, providing for a referendum election to determine whether the Act will become effective.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Brown (Jefferson) the House concurred in and adopted the Senate amendment to the bill, H. 220, said Senate amendment being as follows:

AMENDMENT TO H. B. 220

House Bill 220 is hereby amended by striking out the last sentence of paragraph (A) of Section 3 and inserting in lieu thereof the following:

"The election shall be held on a date to be prescribed by the Judge of Probate of Jefferson County not earlier than sixty days after the date on which a petition or petitions signed by over fifty per cent (50%) of the qualified electors who reside in the territory described in Section 1 of this Act and by over fifty per cent (50%) of the owners of real property located in said territory and a resolution by the governing body of the City of Bessemer consenting to and approving such annexation shall have been filed in the office of the Judge of Probate of Jefferson County."

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Owens
Avery	Cornett	Harper	Pennington
Bailes	Crawford	Hawkins	Perry
Baker (DeKalb)	Daniel	Heflin	Pierce
Bassett	Davis	Ingram	Posey
Bethea (B)	Doggett	Jones (Covington)	Salter
Bolton	Dominick	Jones (Monroe)	Scarlock
Boston	Drake	Little	Sessions
Bowers	Edwards (Escambia)	McCorquodale	Snell
Brown (Jefferson)	Edwards (Lowndes)	Meade	Steagall
Brown (Tuscaloosa)	Engel	Meeks	Stembridge
Burnham	Fite	Merrill	Sullivan
Burns	Gilmore	Moore	Teel
Camp	Glass	Morrow	Tuck
Cates	Grouby	Nabors	Turner (Crenshaw)
Cook	Hain	Nettles	Vacca

—64

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate the following Bill:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Vacca, the House acceded to the request of the Senate for the return of the bill, H. 84, to the Senate for further consideration.

And said bill was forthwith returned to the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 56. Relative to Sine Die Adjournment of the two Houses.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Also:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Also:

S. 140. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Also:

S. 148. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two court-houses where circuit court is required by law to be held.

Also:

S. 150. An Act to revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963, (Ala. Acts, 1963, page 963, et seq.)

Also:

S. 153. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Also:

S. 154. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Also:

S. J. R. 19. Establishing an interim legislative committee on the Uniform Commercial Code.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 22. Establishing a joint legislative advisory and study committee with the Board of Corrections.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

MOTION TO RECESS LOST

The motion of Mr. Nettles that the House recess until 2:00 o'clock this afternoon, was lost.

Yeas 20; Nays 41.

Yeas:

Messrs.	Davis	Hain	Nettles
Baker (DeKalb)	Doggett	Hankins	Powell
Burns	Dominick	Heflin	Salter
Campbell (Tuscaloosa)	Goldthwaite	Jones (Monroe)	Steagall
Cates	Grouby	Little	Thomas
Daniel			

—20

Nays:

Mr. Speaker	Crawford	Hannah	Nabors
Albea	Drake	Hawkins	Owens
Avery	Edington	Hogan	Pennington
Bailes	Edwards (Escambia)	Ingram	Perry
Bassett	Edwards (Lowndes)	Jones (Covington)	Pierce
Bethea (B)	Engel	McCorquodale	Posey
Boston	Fields	Meade	Rogers
Brown (Jefferson)	Fite	Meeks	Sessions
Callahan	Gilmore	Moore	Tuck
Camp	Glass	Morrow	Turner (Crenshaw)
Cook			

—41

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following Houst Joint Resolution and returns same herewith to the House:

H. J. R. 55. Relative to appropriating the expenses of the Legislative Textbook Committee.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Also:

H. 11. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings.

Also:

H. 210. To amend Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to authorize any relative of a child to appoint by his last will and testament the mother or father as guardian; and giving the amendment retroactive effect.

Also:

H. 277. To amend Section 103 of Title 13, 1940 Code of Alabama, as amended, relating to the salary of Judges of the Court of Appeals.

Also:

H. 141. To amend Act. No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Also:

H. 269. Relating to counties with cities having populations of not less than 200,000 nor more than 300,000; regulating further the compensation of the judge of certain inferior civil courts.

Also:

H. 270. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census.

Also:

H. 271. Providing further for the compensation of members of the board of registrars in counties having not less than 48,500 nor more than 49,500 population according to the last or any subsequent federal decennial census.

Also:

H. 274. To apply in counties having populations of not less than 19,500 nor more than 20,000; providing expense allowances for the chair-

man or presiding judge and members of the court of county commissioners, board of revenue, or other like governing body of the county.

Also:

H. 275. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Also:

H. 279. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Also:

H. 182. To provide for removal of prisoners from one municipal jail to another jail under certain specified conditions.

Also:

H. 280. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer; "to provide further for the compensation of the chief clerk in the office of the sheriff.

Also:

H. 281. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

Also:

H. 283. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Also:

H. 284. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Also:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Also:

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Vacca the House concurred in and adopted the Senate amendment to the bill, H. 84, said Senate amendment being as follows:

AMENDMENT TO H. B. 84

Amend H. B. 84 by striking therefrom in the last sentence the words:

"shall be allocated"

and insert in lieu thereof the following:

"is hereby appropriated"

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Camp	Fields	Ingram
Albea	Campbell (Tuscaloosa)	Fite	Jones (Covington)
Bailes	Casey	Gilmore	Jones (Monroe)
Baker (DeKalb)	Cates	Goldthwaite	McCorquodale
Bevill	Cooper	Grouby	McDermott
Bolton	Daniel	Hannah	Meade
Boston	Dominick	Harper	Meeks
Brown (Jefferson)	Drake	Hawkins	Moore
Burnham	Edwards (Escambia)	Heflin	Morrow
Burns	Etheredge	Hogan	Nabors

Nettles	Powell	Sessions	Tuck
Owens	Rogers	Smith	Turner (Crenshaw)
Perry	Salter	Stembridge	Turner (Limestone)
Pierce	Scurlock	Thomas	Vacca
Posey			

—57

MESSAGE FROM THE SENATE

Mr. Speaker:

Pursuant to the provisions of House Joint Resolution 6, the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Brannan, Horton, Givhan and Dumas.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Pursuant to the provisions of Senate Joint Resolution 19, the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Mathews, Carter, Roberts and Evans.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Pursuant to the provisions of Senate Joint Resolution 22, the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Cooper and Clark.

McDOWELL LEE,
Secretary.

COMMITTEES APPOINTED

Pursuant to the provisions of House Joint Resolution 6, the Speaker of the House has appointed as a Committee on the part of the House Messrs. Crawford, Hogan, Owens, Paulk and Hester.

Pursuant to the provisions of Senate Joint Resolution 19, the Speaker of the House has appointed as a Committee on the part of the House Messrs. Engel, Snell, Holladay, Collins and Burnham.

Pursuant to the provisions of Senate Joint Resolution 22, the Speaker of the House has appointed as a Committee on the part of the House Messrs. Cook, Harper and Pierce.

RESOLUTION

The following resolution was introduced:

By Mr. Edwards (Escambia):

H. R. 58. RESOLVED, that we hereby express our deep appreciation to the Honorable Speaker for his efficient, fair and impartial performance in the chair at this session, and also to the Clerk of the House, the floor leaders, committee clerks and secretaries, for the magnificent job that has been done by them in expediting and handling the business of the House and its members.

On motion of Mr. Edwards (Escambia) the rules were suspended and H. R. 58 was adopted.

Yeas 63; Nays 0.

Yeas:

Messrs.	Cooper	Harper	Owens
Albea	Crawford	Heflin	Perry
Bailes	Daniel	Hogan	Pierce
Baker (DeKalb)	Dominick	Ingram	Posey
Bevill	Drake	Jones (Covington)	Powell
Bolton	Edington	Jones (Monroe)	Rogers
Boston	Edwards (Lowndes)	Little	Scurlock
Bowers	Engel	Locke	Sessions
Brown (Jefferson)	Etheredge	McCorquodale	Smith
Brown (Tuscaloosa)	Faulk	McDermott	Stembridge
Burnham	Fields	Meade	Sullivan
Burns	Fite	Meeks	Thomas
Callahan	Gilmore	Moore	Tuck
Camp	Goldthwaite	Morrow	Turner (Crenshaw)
Casey	Grouby	Nabors	Turner (Limestone)
Cook	Hannah	Nettles	Vacca

—63

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolution, to-wit:

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Also:

H. J. R. 55. Relative to the Legislative Textbook Committee.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 220. TO ALTER, REARRANGE, AND EXTEND THE BOUNDARIES OF THE CITY OF BESSEMER IN JEFFERSON COUNTY, PROVIDING FOR A REFERENDUM ELECTION TO DETERMINE WHETHER THE ACT WILL BECOME EFFECTIVE.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:20 A.M. On August 28, 1964

H. 226
H. J. R. 40
H. J. R. 41
H. J. R. 47
H. J. R. 48

Delivered to the Governor at 11:40 A.M. On August 28, 1964

H. J. R. 32
H. J. R. 42
H. J. R. 43
H. J. R. 45
H. J. R. 46
H. J. R. 51
H. J. R. 49
H. 81
H. 91
H. 133
H. 134
H. 137
H. 219

Delivered to the Governor at 1:10 P.M. On August 28, 1964

H. 1
H. 11
H. 210

H. 277
H. 141
H. 269
H. 270
H. 271
H. 274
H. 275
H. 279
H. 182
H. 280
H. 281
H. 283
H. 284
H. 124
H. 264

Delivered to the Governor at 1:25 P.M. On August 28, 1964

H. 278
H. J. R. 55

Delivered to the Governor at 1:40 P.M. On August 28, 1964

H. 84
H. 220

JOHN W. PEMBERTON,
Clerk.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Thirteenth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Turner (Crenshaw), the reading at length of the Journal of the House for the Thirteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Thirteenth legislative day was approved.

ADJOURNMENT

On motion of Mr. Turner (Crenshaw) the House adjourned sine die at 1:30 P.M.

ALBERT P. BREWER,
Speaker of the House of Representatives of the
Legislature of Alabama, Extraordinary Session, 1964

Attest:

JOHN W. PEMBERTON,
Clerk of the House of Representatives of the
Legislature of Alabama, Extraordinary Session, 1964

LEGISLATIVE DAYS

FIRST EXTRAORDINARY SESSION, AUGUST 1964

<i>Legislative Days</i>	<i>Calendar Days</i>	<i>Page</i>
FIRST DAY—Tuesday, August 4.....		3
SECOND DAY—Wednesday, August 5..... (House did not meet 2nd day)		88
THIRD DAY—Thursday, August 6.....		88
FOURTH DAY—Tuesday, August 11.....		117
FIFTH DAY—Wednesday, August 12..... (House did not meet 5th day)		222
SIXTH DAY—Thursday, August 13.....		222
SEVENTH DAY—Friday, August 14.....		299
EIGHTH DAY—Tuesday, August 18.....		336
NINTH DAY—Wednesday, August 19.....		434
TENTH DAY—Thursday, August 20..... (House did not meet 10th day)		474
ELEVENTH DAY—Friday, August 21.....		474
TWELFTH DAY—Tuesday, August 25.....		560
THIRTEENTH DAY—Friday, August 28.....		592

INDEX TO FIRST EXTRAORDINARY SESSION

ABBOTT, L. C.

Mourning Death of—
HJR 49, pages 576, 604, 616, 639

ABSENTEE VOTING

National guard and other reserve components, regulating absentee voting by persons in—
HB 212, page 214
HB 236, pages 218, 228, 417, 556, 567, 590

ACTS AMENDED GENERAL ACTS

- 1923 Acts, Act No. 502, p. 663, creating a policemen's pension and relief fund in cities 100,000 population or more—
HB 68, pages 48, 101, 194, 450, 508, 558
SB 22, pages 241, 302, 377
- 1943 Acts, Act No. 120, p. 121, creating an additional judgeship for the fourth judicial circuit—
HB 23, pages 31, 95, 155, 263
SB 87, pages 259, 308, 391, 472, 478
- 1945 Acts, Act No. 288, p. 478, providing for supernumerary circuit judges—
HB 259, pages 231, 337, 471, 501, 612
- 1945 Acts, Act No. 515, p. 734, creating the "Employees' Retirement System of Alabama"—
HB 168, pages 83, 94, 295
SB 58, pages 427, 458, 533, 572
- 1947 Acts, Act No. 414, p. 304, levying a tobacco tax in counties 400,-000 population or more—
HB 41, pages 37, 98, 174, 441, 514, 560
SB 18, pages 239, 301, 377
- 1947 Acts, Act No. 523, p. 379, creating the water improvement advisory commission—
HB 287, page 480
- 1949 Acts, Act No. 648, p. 991, providing for the industrial development of municipalities—
HB 107, pages 67, 94, 293, 557, 563, 590
HB 136, pages 72, 92, 285, 290
SB 133, pages 426, 459, 538, 572
- 1951 Acts, Act No. 695, p. 1198, providing for the registration and purgation of voters in counties 400,000 population or more—
HB 43, pages 37, 99, 176, 447, 511, 559
SB 52, pages 252, 305, 378
- 1951 Acts, Act No. 756, p. 1307, providing for the industrial development of municipalities—
HB 106, pages 67, 94, 293, 557, 562, 590
- 1951 Acts, Act No. 929, p. 1579, creating an employees' retirement and pension system in cities 250,000 population or more—
HB 69, pages 48, 101, 195, 450, 508, 558
SB 23, pages 241, 302, 377

ACTS AMENDED GENERAL ACTS (Continued)

- 1953 Acts, Act No. 489, p. 616, creating the office of license inspector in counties 225,000 to 400,000 population—
HB 122, pages 70, 103, 201, 447, 511, 559
- 1953 Acts, Act No. 688, p. 940, regulating the operation of four-wheel trailers on the highways—
HB 36, pages 35, 94, 294, 397
- 1955 Acts, Act No. 201, p. 492, regulating the assignment and placement of pupils to schools—
HB 267, pages 313, 455, 503
- 1955 Acts, Act No. 210, p. 515, providing for the compensation of the solicitor in judicial circuits composed of one county and having not less than one nor more than four judges—
HB 130, pages 71, 104, 204, 448, 506, 558
- 1955 Acts, Act No. 312, p. 710, creating a solicitor's fund in the eighth judicial circuit—
HB 191, pages 108, 211, 277, 553, 565, 590
- 1955 Acts, Act No. 345, p. 783, creating a domestic relations division of the circuit court in counties 225,000 to 500,000—
HB 129, pages 71, 103, 204, 448, 506, 558
- 1955 Acts, Act No. 452, p. 1004, providing for a mayor-council form of government in cities 200,000 population or more—
HB 50, pages 41, 99, 181, 442, 512, 559
HB 215, page 214
HB 216, page 215
HB 217, page 215
SB 31, pages 244, 303, 378
- 1955 Acts, Act No. 516, p. 1160, providing for the creation of a public corporation by a municipality for the purpose of acquiring, operating, and maintaining a medical clinic or clinical facilities—
HB 250, pages 228, 337, 502, 612
- 1957 Acts, Act No. 396, p. 549, known as the "Alabama Uniform Gifts to Minors Act"—
HB 141, pages 73, 224, 404, 625, 634, 640
- 1957 Acts, Act No. 420, p. 586, fixing the compensation of the deputy circuit clerk of the tenth judicial circuit—
HB 63, pages 46, 101, 192, 449, 507, 558
SB 44, pages 248, 304, 378
- 1957 Acts, Act No. 554, p. 774, creating the committee on the aging—
HB 200, pages 212, 228, 414
SB 92, pages 424, 459, 537, 556, 572
- 1959 Acts, Act No. 108, p. 612, regulating the practice of chiropractors—
HB 159, pages 82, 93, 291, 397, 553, 564, 590
- 1959 Acts, Act No. 500, p. 1235, providing for the construction, repair, and maintenance of streets and parking areas on campuses of state institutions—
HB 169, page 83
- 1959 Acts, Act No. 556, p. 1376, providing retirement and relief benefits for policemen and firemen in cities 250,000 population or more—
HB 70, pages 48, 101, 195, 439, 515, 560
SB 24, pages 241, 302, 377

ACTS AMENDED GENERAL ACTS (Continued)

- 1961 Acts, Act No. 47, p. 1904, exempting certain organizations from state, county, and municipal licenses, taxes, and fees—
HB 264, pages 232, 455, 516, 622, 636, 640
SB 54, pages 557, 574, 614, 632
HB 83, pages 52, 228, 414, 416
- 1961 Acts, Act No. 171, p. 2124, providing an expense allowance for members of the governing body of counties 24,525 to 24,675 population—
HB 223, page 216
SB 65, pages 258, 307, 388, 453
- 1961 Acts, Act No. 190, p. 230, fixing the compensation of the clerk and members of the jury commission in counties 96,000 to 106,000 population—
HB 207, pages 213, 225, 316, 522, 566, 590
- 1961 Acts, Act No. 252, p. 2265, creating the office of license commissioner in counties 300,000 to 500,000 population—
HB 131, pages 72, 104, 205, 448, 506, 558
- 1961 Acts, Act No. 460, p. 497, fixing the compensation and providing for the duties of members of the governing body in cities 32,500 to 33,500 population—
HB 51, pages 41, 100, 182, 442, 512, 559
SB 32, pages 244, 303, 378
- 1961 Acts, Act No. 663, p. 827, regulating elections in cities and towns except those having a commission form of government—
SB 19, pages 239, 301, 377, 577, 579, 603
- 1961 Acts, Act No. 817, p. 1204, providing for supernumerary circuit court reporters—
HB 233, page 218
- 1961 Acts, Act No. 934, p. 1506, providing for a program of tax equalization of real property in counties 300,000 to 500,000 population—
SB 139, page 428
- 1962 Acts, Act No. 161, p. 206, making an appropriation for capital improvements at Gulf state park—
HB 1, pages 24, 228, 499, 622, 634, 639
SB 68, pages 425, 459, 536, 572
- 1963 Acts, Act No. 92, p. 157, levying a tax on beer—
HB 113, pages 68, 92, 281, 475, 505, 560
- 1963 Acts, Act No. 218, p. 615, regulating the assessment of real property in counties 300,000 to 500,000 population—
HB 128, pages 71, 103, 203, 448, 506, 558
- 1963 Acts, Act No. 297, p. 768, providing exemptions from state, county and municipal taxes and licenses—
HB 83, pages 52, 228, 414, 416
SB 54, pages 557, 574, 614, 632
- 1963 Acts, Act No. 433, p. 963, providing for the retirement of assistants to the sheriff in counties 400,000 population or more—
HB 276, pages 340, 456, 487
SB 150, pages 525, 573, 612, 632

ACTS AMENDED LOCAL ACTS

Butler County, 1951 Acts, Act No. 27, p. 235, creating the inferior court—
SB 61, pages 255, 307, 387, 453

Dale County, 1955 Acts, Act No. 299, p. 697, fixing the compensation and expense allowance for members of the court of county commissioners—
HB 22, pages 29, 95, 155, 445, 512, 559

DeKalb County, 1961 Acts, Act No. 418, p. 437, creating the county court—
SB 85, pages 429, 460, 493, 571

Jefferson County, 1953 Acts, Act No. 333, p. 387, creating a jury board—
HB 38, pages 35, 98, 173, 441, 514, 559
SB 49, pages 250, 305, 378

Jefferson County, 1957 Acts, Act No. 421, p. 587, providing for the appointment and compensation of an assistant to the sheriff of the Bessemer division of Jefferson County—
HB 58, pages 44, 100, 189, 442, 513, 559
SB 39, pages 246, 304, 378

Mobile County, 1939 Acts, Act No. 594, p. 355, placing the sheriff on a salary basis—
HB 280, pages 349, 457, 491, 628, 635, 640

Mobile County, 1955 Acts, Act No. 13, p. 122, providing for the appointment and compensation of an assistant county treasurer—
HB 119, pages 69, 103, 200, 447, 511, 559

Mobile County, 1955 Acts, Act No. 87, p. 335, regulating the office of judge of probate—
HB 281, pages 351, 457, 492, 628, 635, 640

Mobile County, 1957 Acts, Act No. 216, p. 273, providing for the appointment and compensation of bailiffs for the court of general sessions—
HB 118, pages 69, 339, 466, 534, 563, 590

Mobile County, 1959 Acts, Act No. 164, p. 688, providing for uniforms for deputies to the sheriff—
HB 279, pages 347, 456, 490, 626, 635, 640

Pike County, 1951 Acts, Act No. 258, p. 539, authorizing a deputy tax collector for the county—
HB 151, pages 77, 97, 167, 446, 510, 559

Pike County, 1951 Acts, Act No. 259, p. 540, authorizing a deputy tax assessor for the county—
HB 50, pages 41, 99, 181, 442, 512, 559

Pike County, 1955 Acts, Act No. 148, p. 394, providing for the appointment and compensation of a deputy circuit clerk—
HB 153, pages 79, 97, 168, 446, 510, 559

Pike County, 1961 Acts, Act No. 332, p. 358, providing for the appointment and compensation of a clerk of the juvenile court—
HB 152, pages 78, 97, 168, 446, 510, 559

St. Clair County, 1955 Acts, Act No. 218, p. 529, fixing the compensation of deputies to the sheriff—
HB 154, pages 80, 97, 169, 446, 510, 559

ACTS REPEALED GENERAL ACTS

1951 Acts, Act No. 804, p. 1401, providing for the pardon or parole of person whose sentence has been commuted to life imprisonment—

HB 6, pages 25, 225, 411

ACTS REPEALED LOCAL ACTS

Butler County, 1957 Acts, Act No. 325, p. 429, providing an expense allowance for the judge of inferior court—

SB 64, pages 257, 307, 388, 453

ADAMS, SENATOR CHARLES H.

Expressing regret on illness of—

SJR 16, pages 557, 573

ADMINISTRATION OF ESTATES

Settlement by consent without notice—

HB 179, page 105

HB 185, pages 106, 223, 403

AD VALOREM TAX

See also: BOARD OF EQUALIZATION; REAL PROPERTY; TAXATION

Counties 500,000 population or more, assessment of property annexed to municipalities within—

HB 37, pages 35, 98, 172, 497, 549, 560

Mobile County, for hospital purposes, authorizing levy of—

HB 139, pages 73, 104, 206, 267, 535, 569, 591

AGRICULTURE

Appropriation, construction of livestock pavilion barn at state fair grounds—

HB 181, pages 106, 209, 298

SB 119, pages 425, 480, 582, 603

Trailers, four-wheel, two-axle, regulating operation of—

HB 36, pages 35, 94, 294, 397

AGRICULTURE AND INDUSTRIES, COMMISSIONER OF

Succession to office, authorized, CA—

HB 28, pages 31, 92, 280, 395, 498, 612

ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD

“Hotel”, definition of—

HB 132, pages 72, 228, 419

ALABAMA BATTLESHIP COMMISSION

Counties authorized to make appropriations to—

HB 134, pages 72, 224, 404, 603, 617, 639

SB 141, page 471

ALABAMA MASONIC HOME

Exemption from licenses, taxes, and fees—

HB 264, pages 232, 455, 516, 622, 636, 640

ALABAMA RIVER

Appropriation, survey of mineral, water, and petroleum resources
of counties within basin of—
HB 162, page 82

ALABAMA STATE HOSPITALS

Appropriation—
HB 256, page 231

ALABAMA TRADE SCHOOL AND JUNIOR COLLEGE AUTHORITY

Bonds, issuance of—
HB 112, pages 68, 92, 280, 476, 505, 560
Interim legislative committee on trade schools and junior colleges,
created—
HB 112, pages 68, 92, 280, 476, 505, 560
Streets and parking areas on campuses of trade schools, construction,
repair, and maintenance of—
HB 169, page 83

ALCOHOLIC BEVERAGES

Beer tax, collection and distribution of proceeds—
HB 113, pages 68, 92, 281, 475, 505, 560
Counties 600,000 population or more, levying tax on liquor—
HB 45, page 38
“Hotel,” definition of—
HB 132, pages 72, 228, 419

ALISON, DOCTOR SAMUEL BEEKMAN

Mourning death of—
HJR 36, pages 366, 436, 473, 474

ALLEN, LIEUTENANT-GOVERNOR JAMES B.

Extending congratulations on marriage of—
SJR 3, pages 91, 207

AMERICAN LEGION

Commended for efforts on behalf of enshrinement of battleship USS
Alabama—
SJR 20, pages 578, 603

ANNISTON, CITY OF

Privilege license taxes, collection and enforcement of—
HB 171, pages 104, 210, 275, 525, 564, 590, 620
SB 127, pages 334, 338, 465, 479, 621

APARTMENT OWNERSHIP

Providing for—
HB 81, pages 52, 209, 297, 598, 616, 639

APPEALS, COURT OF

See: COURT OF APPEALS

APPROPRIATION

Alabama, Mobile, and Tombigbee river basins, for survey of mineral, water, and petroleum resources of—
HB 162, page 82

Alabama state hospitals—
HB 256, page 231

Chiropractic examiners, state board of—
HB 193, pages 108, 228, 419, 553, 565, 590

Fair grounds, state, construction of livestock pavilion barn at—
HB 181, pages 106, 209, 298
SB 119, pages 425, 480, 582, 603

Gulf state park, construction of fishing pier at—
HB 1, pages 24, 228, 499, 622, 634, 639
SB 68, pages 425, 459, 536, 572

Legislature—
HB 111, pages 68, 92, 118, 148, 300, 335
SB 94, page 220

Partlow state school—
HB 256, page 231

Southern Union college, appropriation for acquisition of—
HB 24, pages 31, 337, 501, 502
SB 113, pages 425, 459, 501, 571

Textbooks, for distribution of—
HB 174, page 104

White house association—
SB 78, pages 426, 459, 536, 572

ARRESTS

Search warrants, issuance of—
HB 273, page 340

ASSAULT AND BATTERY

Penalty for—
HB 86, pages 52, 224, 406, 471

ASSESSMENT

See also: AD VALOREM TAX; BOARD OF EQUALIZATION;
REAL PROPERTY; TAXATION

Counties 300,000 to 500,000 population, period for assessment of real property—
HB 128, pages 71, 103, 203, 448, 506, 558

Counties 500,000 population or more, assessment of property annexed to municipalities within—
HB 37, pages 35, 98, 172, 497, 549, 560

ATTORNEYS

State bar, method of becoming members of—
HB 237, pages 218, 300, 422

AUBURN UNIVERSITY

Draughon, doctor Ralph Brown, expressing appreciation to—
HJR 33, pages 357, 438, 473, 474

AUDITOR, STATE

Succession to office, authorized, CA—
HB 28, pages 31, 92, 280, 395, 498, 612

BAILIFFS

Counties 76,000 to 96,000 population, compensation—
HB 262, pages 232, 307, 382, 534, 569, 591

Judicial circuits composed of one county and having three or more judges, compensation—
HB 124, pages 71, 103, 201, 447, 511, 559, 599, 621, 635, 640

Judicial circuits composed of one county 65,000 to 95,000 population, appointment and compensation—
HB 158, pages 82, 97, 171, 446, 510, 559
SB 10, pages 255, 307, 386

Mobile County court of general sessions, appointment and compensation—
HB 118, pages 69, 339, 466, 534, 563, 590

BALDWIN COUNTY

Board of registrars, compensation of members—
HB 271, pages 339, 455, 484, 625, 634, 640

Court of county commissioners, compensation of members—
HB 270, pages 339, 455, 483, 625, 634, 640

Hunting preserves, private, licensing and regulation of—
HB 221, pages 216, 226, 319, 553, 567, 590

BALLOTS

Counties 24,800 to 25,400 population, providing for the use of paper ballots at certain elections—
HB 155, pages 81, 97, 169, 447, 510, 559

Paper, providing for use of, in certain cases—
HB 192, page 108

BANKS AND BANKING

“Alabama Uniform Gifts to Minors Act”, savings and loan associations covered under—
HB 141, pages 73, 224, 404, 625, 634, 640

Counties 10,000 to 12,000 population, authorizing branch banks—
HB 238, pages 218, 227, 325, 529, 568, 590

Counties 110,000 to 160,000 population, authorizing branch banks—
HB 160, pages 82, 97, 171, 330, 394, 474

BAY MINETTE KEY CLUB

Commended—
HJR 24, pages 206, 236, 314, 335

BEER TAX

Collection and distribution of proceeds—
HB 113, pages 68, 92, 281, 475, 505, 560

BESSEMER, CITY OF

Boundaries altered—

HB 220, pages 215, 227, 413, 630, 638, 640

Governing body, compensation and duties of members—

HB 51, pages 41, 100, 182, 442, 512, 559

SB 32, pages 244, 303, 378

BESSEMER COUNTY COURT

Establishment of—

HB 47, pages 39, 99, 179, 448, 506, 558

SB 21, pages 239, 302, 377

BIRMINGHAM, CITY OF

City magistrate, creating office of—

HB 73, pages 49, 102, 196, 450, 508, 559

SB 27, pages 241, 303, 378

Employees retirement and relief fund, contributions and benefits under—

HB 69, pages 48, 101, 195, 450, 508, 558

SB 23, pages 241, 302, 377

Governing body, expense allowance for members of—

HB 76, pages 51, 102, 198, 443, 515, 560

SB 51, pages 252, 305, 378

Mayor, authorizing radio equipped motor vehicle for—

HB 48, pages 40, 99, 180, 440, 513, 559

SB 56, pages 252, 305, 378

Mayor, compensation—

HB 50, pages 41, 99, 181, 442, 512, 559

SB 31, pages 244, 303, 378

Mayor, expense allowance for—

HB 49, pages 40, 99, 181, 443, 515, 560

SB 30, pages 236, 303, 378

Mayor-council form of government, adoption of, and election and term of members—

HB 215, page 214

Mayor-council form of government, adoption of, and filing of statements of candidacy—

HB 216, page 215

Mayor-council form of government, adoption of, and filling vacancies in office of mayor or councilmen—

HB 217, page 215

Pension system, class suits against board of trustees of—

HB 188, pages 107, 210, 283, 527, 564, 590

Policemen, payment of certain medical expenses incurred by persons assisting—

HB 44, pages 38, 99, 176, 447, 511, 559

SB 17, pages 239, 301, 377

Policemen's pension and relief system, benefits payable under—

HB 68, pages 48, 101, 194, 450, 508, 558

SB 22, pages 241, 302, 377

BLOUNT COUNTY

Election officials, compensation—
HB 4, pages 24, 95, 152
SB 70, pages 259, 308, 390, 453

Jurors, compensation—
HB 3, pages 24, 95, 152
SB 69, pages 259, 308, 390, 453

BOARD OF EDUCATION, CITY

Assignment or placement of pupils in public schools, regulated—
HB 267, pages 313, 455, 503

Cities 50,000 to 60,000 population, qualifications of members—
HB 209, pages 214, 225, 317, 530, 566, 590

Schools, physical examination of children attending—
HB 286, pages 460, 480, 581

BOARD OF EDUCATION, COUNTY

See also: EDUCATION; SCHOOLS; SUPERINTENDENT OF EDUCATION, COUNTY; name of specific county

Assignment or placement of pupils in public schools, regulated—
HB 267, pages 313, 455, 503

Counties 14,400 to 14,900 population, election and compensation of members—
HB 167, pages 83, 210, 274

Counties 24,550 to 24,600 population, attendance of pupils at county-line schools—
HB 222, pages 216, 226, 320
SB 131, pages 334, 338, 465, 479, 606, 632

Counties 96,000 to 106,000 population, qualifications of members of—
HB 208, pages 213, 225, 316, 523, 566, 590

Counties 500,000 population or more, naming of school buildings—
HB 77, pages 51, 102, 198, 451, 509, 559

Schools, physical examination of children attending—
HB 286, pages 460, 480, 581

BOARD OF EDUCATION, STATE

Assignment or placement of pupils in public schools, regulated—
HB 267, pages 313, 455, 503

Schools, physical examination of children attending—
HB 286, pages 460, 480, 581

BOARD OF EQUALIZATION

Counties 25,500 to 25,700 population, compensation of members—
HB 242, pages 219, 227, 326, 529, 568, 591

Counties 31,500 to 33,500 population, compensation of members—
HB 229, pages 217, 226, 323, 528, 567, 590

Counties 150,000 to 300,000 population, appointment of members—
HB 230, pages 217, 226, 323, 373, 528, 567, 590

Jefferson County, duties, term of service, and compensation of members—
HB 261, pages 231, 301, 376, 524, 569, 591

BOARD OF REGISTRARS

See also: ELECTIONS; PRIMARY ELECTIONS; REGISTRATION OF VOTERS; VOTERS

Clerical assistance and certain supplies and services, county governing bodies authorized to furnish—
HB 12, page 25

Counties 25,500 to 25,700 population, compensation of members—
HB 243, pages 219, 227, 327, 529, 568, 591

Counties 26,000 to 27,000 population, meetings, supplies, and clerical assistance—
SB 147, pages 525, 593

Counties 31,500 to 33,500 population, compensation of members—
HB 228, pages 217, 226, 322, 528, 567, 590

Counties 38,000 to 45,000 population, compensation of members—
SB 137, pages 433, 460, 495, 571

Counties 48,500 to 49,500 population, compensation of members—
HB 271, pages 339, 455, 484, 625, 634, 640

Counties 65,000 to 95,000 population, appointment and compensation of clerk—
SB 9, pages 254, 307, 385, 452

Counties 96,000 to 106,000 population, meetings of—
HB 203, pages 213, 225, 315, 531, 566, 590

Counties 100,000 to 115,000 population, reidentification of voters—
HB 195, pages 109, 211, 278, 521, 565, 590

Counties 150,000 to 300,000 population, compensation of members—
HB 232, pages 218, 226, 323, 375, 528, 567, 590

Counties 150,000 to 300,000 population, meetings of—
HB 202, pages 213, 339, 468, 534, 566, 590

Counties 300,000 to 500,000 population, compensation of members—
HB 126, pages 71, 103, 202, 447, 511, 559

Counties 400,000 population or more, meetings of—
HB 43, pages 37, 99, 176, 447, 511, 559
SB 52, pages 252, 305, 378

Greene County, compensation of members—
SB 89, pages 259, 308, 392, 453

Judicial circuits composed of one county less than 500,000 population and having two courthouses where circuit court is required to be held, office space, supplies, and clerical assistance for—
HB 268, pages 313, 338, 463
SB 148, pages 555, 573, 610, 632

Registration of voters, authorized to regulate, subject to approval of state sovereignty commission—
HB 11, pages 25, 457, 518, 622, 634, 639

BOARD OF REVENUE

See also: COUNTY COMMISSION; COURT OF COUNTY COMMISSIONERS; name of county governing body; name of specific county

BOARD OF REVENUE (Continued)

Counties 19,500 to 20,000 population, expense allowance for members—

HB 274, pages 340, 456, 500, 626, 634, 640

Counties 22,500 to 24,550 population, compensation and expense allowance of members—

HB 184, pages 106, 210, 275, 553, 564, 590

Jackson County, employment of criminal investigator—
SB 111, page 330

Winston County, expense allowance for members—
HB 163, pages 82, 210, 272, 527, 564, 590

BOARD OF REVENUE AND CONTROL

Counties 57,000 to 61,500 population, compensation of members and chairman—

HB 147, pages 74, 97, 165, 451, 509, 559

BONDS

Alabama trade school and junior college authority authorized to issue—

HB 112, pages 68, 92, 280, 476, 505, 560

Requiring approval of voters before issuance of, CA—
SB 6, page 478

BOUNDARIES

Chilton County, city of Clanton, altered—
HB 14, page 25

Colbert County, town of Littleville, altered—
HB 18, pages 27, 209, 268, 526, 561, 590

Covington County, city of Opp, altered—
HB 290, page 593

Etowah County, city of Gadsden, altered—
HB 29, pages 31, 210, 269, 522, 562, 590
HB 30, pages 33, 210, 269, 522, 562, 590

Etowah County, city of Glencoe, altered—
HB 30, pages 33, 210, 269, 522, 562, 590
HB 265, page 308

Etowah County, town of Hokes Bluff, altered—
HB 266, page 311

Etowah County, town of Rainbow City, altered—
HB 29, pages 31, 210, 269, 522, 562, 590

Jefferson County, city of Bessemer, altered—
HB 220, pages 215, 227, 413, 630, 638, 640

Lamar County, town of Sulligent, altered—
HB 95, pages 56, 96, 158, 496, 549, 560

Lauderdale County, city of Florence, altered—
HB 99, pages 57, 96, 160, 445, 512, 559

Morgan County, city of Decatur, altered—
HB 148, pages 74, 97, 166, 446, 509, 559, 601
SB 5, pages 253, 307, 384, 452

BOUNDARIES (Continued)

Morgan County, town of Hartselle, altered—
HB 190, pages 107, 211, 276, 553, 565, 590

Morgan County, town of Trinity, altered—
HB 149, pages 75, 97, 166, 446, 510, 559

Pike County, city of Troy, altered—
HB 254, pages 229, 306, 380, 529, 569, 591

BOWERS, REPRESENTATIVE QUINTON R.

Extending congratulations to—
HJR 18, pages 111, 221, 234, 298

BRANTLEY, ALEX E.

Mourning death of—
HJR 43, pages 482, 604, 616, 639

BULLOCK COUNTY

Hunting preserves, private, licensing and regulation of—
HB 213, pages 214, 226, 318
SB 121, pages 333, 338, 464, 478

Judge of probate, tax assessor, and tax collector, clerk-hire allowance—
HB 5, pages 24, 95, 153, 451, 509, 559
SB 74, page 259

BUTLER COUNTY

County-line schools, attendance of pupils at—
HB 222, pages 216, 226, 320
SB 131, pages 334, 338, 465, 479, 606, 632

Court of county commissioners, expense allowance for members of—
HB 223, page 216
SB 65, pages 258, 307, 388, 453

Inferior court, compensation of judge—
SB 61, pages 255, 307, 387, 453

Inferior court, repealing provision for expense allowance for judge of—
SB 64, pages 257, 307, 388, 453

Till, Joseph H., Jr., relief of—
SB 66, pages 258, 308, 389, 453

CALHOUN COUNTY

Anniston, city of, collection and enforcement of privilege license taxes—
HB 171, pages 104, 210, 275, 525, 564, 590, 620
SB 127, pages 334, 338, 465, 479, 621

Bailiffs, compensation—
HB 262, pages 232, 307, 382, 534, 569, 591

Circuit clerk, tax assessor, and tax collector, compensation—
HB 247, pages 219, 227, 328

Conditional sales contracts, recordation of—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572

CALHOUN COUNTY (Continued)

County court, compensation of judge—

HB 263, pages 232, 307, 384, 530, 569, 591

Judge of probate, compensation and expense allowance—

HB 246, pages 219, 227, 328, 529, 568, 591

Sheriff, appointment and compensation of deputies—

HB 245, pages 219, 227, 327, 529, 568, 591

CAMP, COMMANDER WILLIAM B.

Extending congratulations to—

HJR 41, pages 481, 587, 598, 639

CHILDREN

Counties 100,000 to 115,000 population, regulating operation of child care institutions—

HB 196, pages 109, 211, 278, 527, 565, 590

HB 214, pages 214, 226, 319, 534, 566, 590

Delinquency of, penalty for contributing to—

HB 89, pages 53, 224, 405, 471

Indecent exposure in presence of, penalty for—

HB 90, page 53

Enticing for immoral purposes, penalty for—

HB 88, pages 53, 224, 405, 471

CHILTON COUNTY

Board of equalization, compensation of members—

HB 242, pages 219, 227, 326, 529, 568, 591

Board of registrars, compensation of members—

HB 243, pages 219, 227, 327, 529, 568, 591

Clanton, city of, boundaries altered—

HB 14, page 25

Coroner, compensation—

HB 240, pages 219, 227, 325, 529, 568, 590

Jurors, compensation—

HB 241, pages 219, 227, 326, 529, 568, 590

CHIROPRACTIC EXAMINERS, STATE BOARD OF

Appropriation—

HB 193, pages 108, 228, 419, 553, 565, 590

CHIROPRACTORS

Certificate of qualification, fee for renewal of—

HB 159, pages 82, 93, 291, 397, 553, 564, 590

CIRCUIT CLERK

See also: CIRCUIT COURT; JUDICIAL CIRCUITS; specific judicial circuit; specific counties and counties on a population basis

Counties 76,000 to 96,000 population, compensation—

HB 247, pages 219, 227, 328

CIRCUIT CLERK (Continued)

Counties 300,000 to 500,000 population, compensation—
HB 116, page 69

Counties 500,000 population or more, compensation—
HB 64, pages 46, 101, 192, 449, 508, 558
SB 45, pages 249, 305, 378

Funds held by, investment of—
HB 140, pages 73, 224

Pike County, compensation of deputy to—
HB 153, pages 79, 97, 168, 446, 510, 559

CIRCUIT COURT

See also: BAILIFFS; CIRCUIT CLERK; JUDGE, CIRCUIT; JUDICIAL CIRCUITS; REGISTER, CIRCUIT COURT; SOLICITOR, CIRCUIT; specific judicial circuit; specific counties and counties on a population basis

Circuit clerk, authorizing investment of funds held by—
HB 140, pages 73, 224

Counties 57,000 to 61,000 population, compensation of court reporters—
HB 146, pages 74, 97, 165, 446, 509, 559

Counties 100,000 to 115,000 population, granting of probation in—
SB 13, pages 255, 307, 366, 452, 563, 602

Counties 125,000 to 225,000 population, issuance of warrants and administering of oaths in domestic relations division of—
HB 260, pages 231, 338, 462

Counties 225,000 to 500,000 population, compensation of deputy register of domestic relations division of—
HB 129, pages 71, 103, 204, 448, 506, 558

Counties 600,000 population or more, compensation of register—
HB 61, pages 45, 101, 191, 449, 507, 558
SB 42, pages 248, 304, 378

Court reporters, supernumerary, qualifications and compensation—
HB 233, page 218

Judges, supernumerary circuit, qualifications of—
HB 259, pages 231, 337, 471, 501, 612

Judicial circuits composed of one county 65,000 to 95,000 population, appointment and compensation of bailiffs—
HB 158, pages 82, 97, 171, 446, 510, 559
SB 10, pages 255, 307, 386

Register, authorizing investment of funds held by—
HB 140, pages 73, 224

CIRCUIT SOLICITOR

See: SOLICITOR, CIRCUIT

CITIES GENERAL LAWS

Commission form of government, adoption of—
HB 92, pages 53, 93, 291, 526, 562, 590
SB 53, pages 428, 458, 536

CITIES GENERAL LAWS (Continued)

Industrial development boards, manufacture, process, or assembly of mineral products—

HB 136, pages 72, 92, 285, 290

SB 133, pages 426, 459, 538, 572

Industrial development, research included under definition of term “project”—

HB 106, pages 67, 94, 293, 557, 562, 590

HB 107, pages 67, 94, 293, 557, 563, 590

Jails, removal of prisoner to another jail—

HB 182, pages 106, 223, 402, 629, 635, 640

Medical clinic, definition of—

HB 250, pages 228, 337, 502, 612

Zoning ordinances, validating publication of—

HB 91, pages 53, 93, 292, 604, 616, 639

CITIES 10,275 TO 10,875 POPULATION

County court established for precincts within, compensation of judge—

SB 15, pages 255, 307, 387, 453

CITIES 28,000 TO 29,000 POPULATION

Mayor, compensation—

SB 88, pages 471, 480, 577, 603

CITIES 32,500 TO 33,500 POPULATION

Governing body, compensation and duties of members—

HB 51, pages 41, 100, 182, 442, 512, 559

SB 32, pages 244, 303, 378

CITIES 50,000 TO 60,000 POPULATION

Board of education, qualification of members—

HB 209, pages 214, 225, 317, 530, 566, 590

CITIES 100,000 POPULATION OR MORE

Policemen's pension and relief fund, benefits payable under—

HB 68, pages 48, 101, 194, 450, 508, 558

SB 22, pages 241, 302, 377

CITIES 130,000 POPULATION OR MORE

Pension system, class suits against board of trustees of—

HB 188, pages 107, 210, 283, 527, 564, 590

CITIES 200,000 TO 300,000 POPULATION

Chief of police, merit system status for—

HB 137, pages 73, 104, 205, 553, 581, 589, 599, 617, 639

CITIES 200,000 POPULATION OR MORE

Mayor, compensation of—

HB 50, pages 41, 99, 181, 442, 512, 559

SB 31, pages 244, 303, 378

CITIES 250,000 POPULATION OR MORE

Employees retirement and relief fund, contributions and benefits under—

HB 69, pages 48, 101, 195, 450, 508, 558

SB 23, pages 241, 302, 377

Policemen and firemen, benefits payable under retirement and relief system—

HB 70, pages 48, 101, 195, 439, 515, 560

SB 24, pages 241, 302, 377

CITIES 300,000 POPULATION OR LESS

Elections, regulating conduct of—

SB 19, pages 239, 301, 377, 577, 579, 603

CITIES 300,000 POPULATION OR MORE

City magistrate, creating office of—

HB 73, pages 49, 102, 196, 450, 508, 558, 559

SB 27, pages 241, 303, 378

Governing body, expense allowance for members of—

HB 76, pages 51, 102, 198, 443, 515, 560

SB 51, pages 252, 305, 378

Mayor, authorizing motor vehicle equipped with radio equipment for—

HB 48, pages 40, 99, 180, 440, 513, 559

SB 56, pages 252, 305, 378

Mayor-council form of government, adoption of, and election and term of members—

HB 215, page 214

Mayor-council form of government, adoption of, and filing of statements of candidacy—

HB 216, page 215

Mayor-council form of government, and filling vacancies in office of mayor and councilmen—

HB 217, page 215

Mayor, expense allowance for—

HB 49, pages 40, 99, 181, 443, 515, 560

SB 30, pages 236, 303, 378

Policemen, payment of certain medical expenses incurred by persons assisting—

HB 44, pages 38, 99, 176, 447, 511, 559

SB 17, pages 239, 301, 377

CIVIL CASES

Counties 96,000 to 106,000 population, jurisdiction of justices of the peace—

HB 31, pages 34, 210, 270, 520, 562, 590

CIVIL COURT

Jefferson County, compensation of judges—

HB 56, pages 43, 100, 188, 449, 507, 558

SB 37, pages 245, 304, 378

CIVIL REMEDIES AND PROCEDURE

See also: ACTIONS; JUDICIAL PROCEDURE; SUITS

Testimony to be used in suits pending in foreign jurisdiction, procurement of—
HB 239, page 218

CIVIL RIGHTS ACT OF 1964

Voiding of, within the state of Alabama—
HB 285, pages 460, 480, 580

CLANTON, CITY OF

Boundaries altered—
HB 14, page 25

CLEBURNE COUNTY

Branch banking, authorized—
HB 238, pages 218, 227, 325, 529, 568, 590

CLERK, CIRCUIT

See: CIRCUIT CLERK

CODE OF ALABAMA 1940

Counties 500,000 population or more, adoption of certain provisions of—
HB 93, pages 54, 102, 199, 264, 314, 483, 577, 610

CODE OF ALABAMA 1940 AMENDED

Title 7, Section 464. Providing for the procurement of testimony to be used in suits pending in foreign jurisdiction—
HB 239, page 218

Title 8, Section 39. Providing for the issuance of non-resident fishing licenses—
HB 249, pages 228, 574, 613

Title 13, Section 103. Fixing the compensation of judges of the court of appeals—
HB 277, pages 340, 455, 516, 622, 634, 640

Title 13, Section 187. Fixing the compensation of bailiffs in certain judicial circuits—
HB 124, pages 71, 103, 201, 447, 511, 559, 599, 621, 635, 640

Title 13, Section 254. Providing for the appointment and compensation of deputy circuit solicitors of the thirteenth judicial circuit—
HB 127, pages 71, 103, 203, 448, 512, 559

Title 14, Section 81. Prescribing a penalty for painting or affixing sign to fence, wall, tree, or building without consent of owner—
HB 204, pages 213, 223, 400

Title 15, Section 100. Defining the term "search warrant"—
HB 273, page 340

Title 17, Section 75. Designating time for election of presidential electors and congressmen—
HB 26, page 31

CODE OF ALABAMA 1940 AMENDED (Continued)

Title 17, Section 96. Regulating the use of voting machines—
HB 192, page 108

Title 17, Sections 425 and 426. Dividing the state into congressional districts—
HB 19, page 28
HB 26, page 31
HB 79, page 52
HB 114, pages 69, 94, 118, 119, 148, 149, 206, 355, 358, 362, 395, 474
HB 288, page 574

Title 21, Section 4. Providing for the appointment of testamentary guardians—
HB 210, pages 214, 458, 532, 622, 634, 639

Title 29, Section 1. Definitions under laws regulating sale of alcoholic beverages—
HB 132, pages 72, 228, 419

Title 32, Section 2. Dividing the state into senatorial districts—
HB 80, page 52

Title 34, Section 20. Prescribing grounds for divorce—
HB 201, pages 213, 223, 401

Title 34, Section 29. Prescribing residence requirements for divorce—
HB 145, pages 74, 92, 282, 396

Title 36, Section 21-A. Prescribing the method of proceeding past "yield right-of-way" signs—
HB 257, page 231

Title 37, Section 440. Providing for the compensation of mayors—
SB 88, pages 471, 480, 577, 603

Title 37, Section 773. Requiring publication of municipal zoning ordinances—
HB 91, pages 53, 93, 292, 604, 616, 639

Title 37, Section 778. Regulating the adoption of municipal zoning ordinances—
HB 91, pages 53, 93, 292, 604, 616, 639

Title 41, Section 154. Providing for per diem and mileage allowance for state officers and employees—
HB 197, page 109

Title 42, Section 16. Regulating the granting of pardons and paroles—
HB 6, pages 25, 225, 411

Title 46, Section 26. Prescribing qualifications for becoming members of the state bar—
HB 237, pages 218, 300, 422

Title 47, Section 131. Regulation the recordation of conditional sales contracts—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572

Title 49, Section 64. Regulating the operation of certain child-caring institutions—
HB 214, pages 214, 226, 319, 534, 566, 590

CODE OF ALABAMA 1940 AMENDED (Continued)

- Title 51, Section 81. Requiring the tax assessor to deliver copies of assessments to the board of equalization—
HB 261, pages 231, 301, 376, 524, 569, 591
- Title 51, Section 82. Providing for the right to protest any valuation placed on property by the board of equalization—
HB 261, pages 231, 301, 376, 524, 569, 591
- Title 51, Section 88. Providing for a board of equalization in each county—
HB 261, pages 231, 301, 376, 524, 569, 591
- Title 51, Section 89. Providing for the appointment of members of boards of equalization—
HB 230, pages 217, 226, 323, 373, 528, 567, 590
- Title 51, Section 94. Prescribing the term of service and compensation of members of boards of equalization—
HB 261, pages 231, 301, 376, 524, 569, 591
- Title 51, Section 95. Regulating method of payment of compensation of members of boards of equalization—
HB 261, pages 231, 301, 376, 524, 569, 591
- Title 51, Section 107. Regulating meetings of boards of equalization to hear objections to valuations of property—
HB 261, pages 231, 301, 376, 524, 569, 591
- Title 51, Section 706. Regulating the transfer of motor vehicle license tags—
HB 123, pages 71, 103, 265
- Title 52, Section 63. Prescribing qualifications of members of county boards of education—
HB 208, pages 213, 225, 316, 523, 566, 590
- Title 52, Section 151. Prescribing qualifications of members of city boards of education—
HB 209, pages 214, 225, 317, 530, 566, 590
- Title 52, Section 553. Providing for the physical and mental examination of children attending public schools—
HB 286, pages 460, 480, 581
- Title 61, Section 301. Providing for settlement by consent without notice in the administration of estates—
HB 179, page 105
HB 185, pages 106, 223, 403

COFFEE COUNTY

- Governing body, compensation of members—
SB 73, pages 238, 338, 463, 478

COLBERT COUNTY

- Contingent fund for, created—
HB 224, pages 217, 226, 321
SB 125, pages 334, 338, 465, 478
- Littleville, town of, boundaries altered—
HB 18, pages 27, 209, 268, 526, 561, 590
- Tax assessor and tax collector, clerk-hire allowance—
HB 225, pages 217, 306

COLISEUM, STATE

Appropriation, construction of livestock pavilion barn at state fair grounds—

HB 181, pages 106, 209, 298

SB 119, pages 425, 480, 582, 603

COMMISSION FORM OF GOVERNMENT

Adoption of, regulated—

HB 92, pages 53, 93, 291, 526, 562, 590

SB 53, pages 428, 458, 536

COMMITTEE ON THE AGING

Membership, organization, authority, and appointment of executive officer—

HB 200, pages 212, 228, 414

SB 92, pages 424, 459, 537, 556, 572

CONDITIONAL SALES CONTRACTS

Recordation of—

HB 143, pages 74, 224, 403

SB 77, pages 427, 458, 532, 572

CONFEDERATE MEMORIAL PARK

Designation of—

HJR 51, pages 582, 604, 616, 639

CONGRESS

Congressional districts, division of state into—

HB 19, page 28

HB 26, page 31

HB 27, page 31

HB 79, page 52

HB 110, page 68

HB 114, pages 69, 94, 118, 119, 148, 149, 206, 355, 358, 362, 395, 474

HB 288, page 574

Memorialized to take certain action relative to apportionment of legislature—

HJR 5, pages 22, 90

HJR 12, pages 86, 90, 208, 221

Senators, United States, congress memorialized to establish residential qualifications for—

HJR 42, pages 481, 604, 616, 639

CONSERVATION

Water improvement commission, fisheries industry represented on—

HB 287, page 480

CONSERVATION, STATE DEPARTMENT OF

Counties 12,500 to 13,500 population, licensing and regulation of private hunting preserves—

HB 213, pages 214, 226, 318

SB 121, pages 333, 338, 464, 478

Counties 26,000 to 27,000 population, licensing and regulation of private hunting preserves—

HB 211, pages 214, 225, 318

SB 120, pages 333, 338, 463, 478

CONSERVATION, STATE DEPARTMENT OF (Continued)

Counties 48,100 to 49,700 population, licensing and regulation of private hunting preserves—

HB 221, pages 216, 226, 319, 553, 567, 590

Counties 49,500 to 50,500 population, licensing and regulation of private hunting preserves—

HB 105, pages 67, 96, 163, 446, 510, 559

Counties 100,000 to 115,000 population, fishing regulated—

HB 194, pages 109, 211, 277, 527, 565, 590

Fishing licenses, non-resident, fee for issuance of—

HB 249, pages 228, 574, 613

Gulf state park, construction of fishing pier at—

HB 1, pages 24, 228, 499, 622, 634, 639

SB 68, pages 425, 459, 536, 572

Lamar County, fishing regulated—

HB 94, pages 54, 95, 158, 442, 513, 559

CONSTITUTIONAL AMENDMENT

Bonds, requiring approval of voters before issuance of—

SB 6, page 478

Covington County, providing for industrial development of—

HB 198, pages 212, 225, 314

Elmore County, city of Tallassee, providing for industrial development of—

HB 183, page 106

Governor and other elected state officials, authorizing succession to office—

HB 28, pages 31, 92, 280, 395, 498, 612

Jefferson County, providing for creation of districts for control of fires or disposal of garbage—

HB 178, pages 105, 211, 279, 522, 569, 591

SB 50, pages 251, 305, 378

Mobile County, authorizing levy of ad valorem tax for hospital purposes—

HB 139, pages 73, 104, 206, 267, 535, 569, 591

Senate, reapportionment of—

HB 15, pages 26, 95, 297, 398, 498, 612

HB 16, pages 26, 95, 297, 398, 498, 612

CONTRACTS

Conditional sales contracts, recordation of—

HB 143, pages 74, 224, 403

SB 77, pages 427, 458, 532, 572

Property, state-owned, regulating sale of—

HB 173, page 104

CONVICTS

Charges pending against defendants or filed against defendants serving sentences in the penitentiary, time of trial or dismissal of—

HB 9, pages 25, 224, 408

CONVICTS (Continued)

Highway camps, creating office of spiritual guidance counselor for—
HB 2, page 24

Pardon and parole board, state, compensation of chairman and members—
HB 135, pages 72, 92, 285

Pardon or parole of person whose sentence has been commuted to life imprisonment, repealing provision for—
HB 6, pages 25, 225, 411

Pardons and paroles, waiver of notice of granting—
HB 6, pages 25, 225, 411

Sex offenders, requiring segregation of—
HB 85, pages 52, 224, 407

CORONER

Counties 14,400 to 14,900 population, compensation—
HB 164, pages 82, 210, 273, 528, 564, 590

Counties 15,417 to 16,303 population, compensation—
HB 34, pages 34, 95, 157, 435, 515, 560

Counties 25,500 to 25,700 population, compensation—
HB 240, pages 219, 227, 325, 529, 568, 590

Lee County, expense allowance—
HB 103, pages 65, 96, 163, 447, 511, 559

CORPORATE LIMITS

See: BOUNDARIES; name of specific city or town

CORPORATIONS

Medical clinic, definition of—
HB 250, pages 228, 337, 502, 612

CORRECTIONS, STATE BOARD OF

Committee created to study and advise with—
HJR 52, page 587
SJR 22, pages 623, 633, 637

Highway camps, creating office of spiritual guidance counselor for—
HB 2, page 24

Sex offenders, requiring segregation of—
HB 85, pages 52, 224, 407

COUNTIES GENERAL LAWS

Board of registrars, authorized to furnish clerical assistance and certain supplies and services to—
HB 12, page 25

Engineer, county, covered under employees retirement system—
HB 168, pages 83, 94, 295
SB 58, pages 427, 458, 533, 572

Engineer, county, employment, duties, compensation, and retirement of—
HB 170, pages 83, 94, 296
SB 59, pages 427, 458, 533, 572

COUNTIES GENERAL LAWS (Continued)

Jails, removal of prisoner from municipal jail to—
HB 182, pages 106, 223, 402, 629, 635, 640

USS Alabama battleship commission, counties authorized to make appropriations to—
HB 134, pages 72, 224, 404, 603, 617, 639
SB 141, page 471

COUNTIES 10,800 TO 12,000 POPULATION

Branch banks, authorized—
HB 238, pages 218, 227, 325, 529, 568, 590

COUNTIES 12,500 TO 13,500 POPULATION

Hunting preserves, private, licensing and regulation of—
HB 213, pages 214, 226, 318
SB 121, pages 333, 338, 464, 478

Judge of probate, tax assessor, and tax collector, clerk-hire allowance—
HB 5, pages 24, 95, 153, 451, 509, 559
SB 74, page 259

COUNTIES 13,700 TO 14,300 POPULATION

Courthouses, closing of offices in—
HB 97, pages 57, 96, 160, 496, 549, 560

Election officials, compensation—
HB 96, pages 57, 96, 159

Superintendent of education, compensation—
HB 98, pages 57, 96, 160, 445, 509, 559

COUNTIES 14,400 TO 14,900 POPULATION

Board of education, election and compensation of members—
HB 167, pages 83, 210, 274

Coroner, compensation—
HB 164, pages 82, 210, 273, 528, 564, 590

Governing body, expense allowance for members—
HB 163, pages 82, 210, 272, 527, 564, 590

COUNTIES 14,500 TO 14,900 POPULATION

County offices, filling vacancies in—
HB 166, pages 83, 210, 274

Superintendent of education, compensation—
HB 165, pages 83, 210, 273, 528, 564, 590

COUNTIES 15,417 TO 16,303 POPULATION

Coroner, compensation—
HB 34, pages 34, 95, 157, 435, 515, 560

Election officials, compensation—
HB 32, pages 34, 95, 155, 440, 513, 559

COUNTIES 15,500 TO 16,300 POPULATION

Courthouse, closing of offices in—
HB 33, pages 34, 95, 156, 441, 514, 559

COUNTIES 18,800 TO 19,500 POPULATION

Governing body, compensation of members—
SB 156, pages 586, 593

COUNTIES 19,500 TO 20,000 POPULATION

Governing body, expense allowance for members—
HB 274, pages 340, 456, 500, 626, 634, 640

COUNTIES 21,988 TO 22,000 POPULATION

Sheriff, compensation of deputy to—
HB 35, pages 34, 210, 271, 526, 562, 590

COUNTIES 22,350 TO 24,350 POPULATION

Tax assessor, clerical assistance—
HB 283, pages 355, 456, 485, 628, 635, 640
SB 154, pages 525, 573, 611, 632

Tax collector, clerical assistance—
HB 284, pages 355, 456, 486, 629, 635, 640
SB 153, pages 525, 573, 611, 632

COUNTIES 22,500 TO 24,550 POPULATION

Governing body, compensation and expense allowance of members—
HB 184, pages 106, 210, 275, 553, 564, 590

Hill, Chester Dee, relief of—
HB 251, pages 229, 306, 380, 553, 568, 591

COUNTIES 24,525 TO 24,675 POPULATION

Governing body, expense allowance for members of—
HB 223, page 216
SB 65, pages 258, 307, 388, 453

COUNTIES 24,550 TO 24,600 POPULATION

County-line schools, attendance of pupils at—
HB 222, pages 216, 226, 320
SB 131, pages 334, 338, 465, 479, 606, 632

COUNTIES 24,800 TO 25,400 POPULATION

Elections, providing for use of paper ballots at—
HB 155, pages 81, 97, 169, 447, 510, 559

COUNTIES 25,400 TO 25,600 POPULATION

Election officials, compensation—
HB 4, pages 24, 95, 152
SB 70, pages 259, 308, 390, 453

Jurors, compensation—
HB 3, pages 24, 95, 152
SB 69, pages 259, 308, 390, 453

COUNTIES 25,500 TO 25,700 POPULATION

Board of equalization, compensation of members—
HB 242, pages 219, 227, 326, 529, 568, 591

Board of registrars, compensation of members—
HB 243, pages 219, 227, 327, 529, 568, 591

COUNTIES 25,500 TO 25,700 POPULATION (Continued)

Coroner, compensation—

HB 240, pages 219, 227, 325, 529, 568, 590

Jurors, compensation—

HB 241, pages 219, 227, 326, 529, 568, 590

COUNTIES 26,000 TO 27,000 POPULATION

Board of registrars, meetings, supplies, and clerical assistance—

SB 147, pages 525, 593

Hunting preserves, private, licensing and regulation of—

HB 211, pages 214, 225, 318

SB 120, pages 333, 338, 463, 478

COUNTIES 28,000 TO 30,575 POPULATION

Loans, temporary, authorized—

HB 25, pages 31, 95, 155, 263, 526, 561, 590

COUNTIES 30,550 TO 31,000 POPULATION

Governing body, compensation of members—

SB 73, pages 238, 338, 463, 478

COUNTIES 31,500 TO 33,500 POPULATION

Board of equalization, compensation of members—

HB 229, pages 217, 226, 323, 528, 567, 590

Board of registrars, compensation of members—

HB 228, pages 217, 226, 322, 528, 567, 590

Jurors, compensation—

HB 227, pages 217, 226, 322, 528, 567, 590

COUNTIES 32,000 TO 33,000 POPULATION

Sheriff, allowance for uniforms for personnel of—

HB 255, pages 230, 306, 381, 529, 569, 591

COUNTIES 38,000 TO 45,000 POPULATION

Board of registrars, compensation of members—

SB 137, pages 433, 460, 495, 571

COUNTIES 42,000 TO 46,000 POPULATION

Jury commission, compensation of members—

HB 177, page 105

HB 235, pages 218, 227, 324, 535, 567, 590

SB 123, pages 433, 456, 487, 571

Register, compensation of deputy clerk—

HB 275, pages 340, 456, 484, 626, 635, 640

SB 140, pages 497, 573, 613, 632

Sheriff, compensation of employees of—

HB 234, pages 218, 227, 324, 535, 567, 590

SB 122, pages 433, 456, 486, 571

COUNTIES 46,000 TO 46,500 POPULATION

Contingent fund for, created—

HB 224, pages 217, 226, 321

SB 125, pages 334, 338, 465, 478

COUNTIES 46,500 TO 48,000 POPULATION

Tax assessor and tax collector, clerk-hire allowance—
HB 225, pages 217, 306

COUNTIES 48,100 TO 49,700 POPULATION

Hunting preserves, private, licensing and regulation of—
HB 221, pages 216, 226, 319, 553, 567, 590

COUNTIES 48,500 TO 49,500 POPULATION

Board of registrars, compensation of members—
HB 271, pages 339, 455, 484, 625, 634, 640

Governing body, compensation of members—
HB 270, pages 339, 455, 483, 625, 634, 640

COUNTIES 49,500 TO 50,500 POPULATION

Hunting preserves, private, licensing and regulation of—
HB 105, pages 67, 96, 163, 446, 510, 559

COUNTIES 51,000 TO 56,000 POPULATION

Election officials, compensation—
SB 129, pages 334, 339, 468, 479

Jurors, compensation—
SB 128, pages 334, 339, 467, 472, 479

COUNTIES 57,000 TO 61,000 POPULATION

Court reporters, compensation—
HB 146, pages 74, 97, 165, 446, 509, 559

COUNTIES 57,000 TO 61,500 POPULATION

Governing body, compensation of chairman and members—
HB 147, pages 74, 97, 165, 451, 509, 559

COUNTIES 65,000 TO 85,000 POPULATION

Election officials, compensation—
HB 157, pages 82, 97, 170, 446, 510, 559

COUNTIES 65,000 TO 95,000 POPULATION

Board of registrars, appointment and compensation of clerk—
SB 9, pages 254, 307, 385, 452

Election officials, compensation—
SB 11, pages 255, 307, 386

Jury commission, compensation of clerk—
SB 8, pages 254, 307, 385, 452

COUNTIES 76,000 TO 96,000 POPULATION

Bailiffs, compensation—
HB 262, pages 232, 307, 382, 534, 569, 591

Circuit clerk, tax assessor, and tax collector, compensation—
HB 247, pages 219, 227, 328

County court, expense allowance for judge of—
HB 263, pages 232, 307, 384, 530, 569, 591

COUNTIES 76,000 TO 96,000 POPULATION (Continued)

Judge of probate, compensation and expense allowance—
HB 246, pages 219, 227, 328, 529, 568, 591

Sheriff, appointment and compensation of deputies—
HB 245, pages 219, 227, 327, 529, 568, 591

COUNTIES 80,000 POPULATION OR LESS

Conditional sales contract, recordation of—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572

COUNTIES 96,000 TO 106,000 POPULATION

Board of education, qualifications of members—
HB 208, pages 213, 225, 316, 523, 566, 590

Board of registrars, meetings of—
HB 203, pages 213, 225, 315, 531, 566, 590

Jury commission, compensation of clerk and members—
HB 207, pages 213, 225, 316, 522, 566, 590

Justices of the peace, jurisdiction—
HB 31, pages 34, 210, 270, 520, 562, 590

License inspector, term of office—
SB 151, page 523

Sheriff, compensation—
HB 205, pages 213, 225, 315, 522, 566, 590

Telephone calls within, charges for—
HB 272, page 340

COUNTIES 100,000 TO 115,000 POPULATION

Child care institutions, regulating operation of—
HB 196, pages 109, 211, 278, 527, 565, 590
HB 214, pages 214, 226, 319, 534, 566, 590

Circuit court, granting of probation in—
SB 13, pages 255, 307, 386, 452, 583, 602

Fishing regulated—
HB 194, pages 109, 211, 277, 527, 565, 590

Voters, reidentification of—
HB 195, pages 109, 211, 278, 521, 565, 590

COUNTIES 110,000 TO 160,000 POPULATION

Banks, authorizing branch banks—
HB 160, pages 82, 97, 171, 330, 394, 474

Governing body, compensation of chairman and members—
HB 109, pages 68, 96, 164, 330, 394, 474

COUNTIES 125,000 TO 225,000 POPULATION

Circuit court, domestic relations division of, issuance of warrants
and administering of oaths—
HB 260, pages 231, 338, 462

COUNTIES 150,000 TO 300,000 POPULATION

Board of equalization, appointment of members—
HB 230, pages 217, 226, 323, 373, 528, 567, 590

Board of registrars, compensation of members—
HB 232, pages 218, 226, 323, 375, 528, 567, 590

Board of registrars, meetings—
HB 202, pages 213, 339, 468, 534, 566, 590

Election officials, compensation—
HB 258, pages 231, 338, 462, 541, 569, 591

Housing authorities, compensation and duties of director and assistant director—
HB 199, pages 212, 306, 378, 527, 565, 590

License inspectors, appointment, duties and compensation—
HB 231, pages 217, 226, 323, 374, 528, 567, 590

COUNTIES 200,000 TO 500,000 POPULATION

Motor vehicles used for transporting pulpwood, regulating operation and use of—
HB 186, page 106

COUNTIES 225,000 TO 400,000 POPULATION

License inspector and chief clerk, compensation—
HB 122, pages 70, 103, 201, 447, 511, 559

COUNTIES 225,000 TO 500,000 POPULATION

Circuit court, compensation of solicitor of domestic relations division of—
HB 130, pages 71, 104, 204, 448, 506, 558

COUNTIES 300,000 TO 500,000 POPULATION

Advisory referendums, provided for—
HB 115, pages 69, 102, 199, 540, 563, 590

Assessment of real property, period for—
HB 128, pages 71, 103, 203, 448, 506, 558

Board of registrars, compensation of members—
HB 126, pages 71, 103, 202, 447, 511, 559

Circuit clerk, compensation—
HB 116, page 69

Governing body, compensation of members—
HB 125, pages 71, 103, 202, 447, 511, 559

Judge of probate, compensation—
HB 120, pages 70, 103, 200, 447, 511, 559

License commissioner, compensation—
HB 131, pages 72, 104, 205, 448, 506, 558

Register, compensation—
HB 121, page 70

Sheriff, compensation of deputies and assistants to—
HB 253, pages 229, 306, 423, 534, 568, 591

COUNTIES 300,000 TO 500,000 POPULATION (Continued)

- Sheriff, exemption from liability—
HB 117, pages 69, 103, 199
- Sheriff, uniforms for deputies—
HB 252, pages 229, 306, 378, 529, 568, 591
- Tax assessor, fee provided for program of tax equalization—
SB 139, page 428

COUNTIES 400,000 POPULATION OR MORE

- Board of registrars, meetings of—
HB 43, pages 37, 99, 176, 447, 511, 559
SB 52, pages 252, 305, 378
- Highways and bridges, regulating construction by municipalities within—
HB 40, pages 37, 98, 173, 441, 514, 559
SB 16, pages 238, 301, 377
- Sheriff, retirement of assistants to—
HB 276, pages 340, 456, 487
SB 150, pages 525, 573, 612, 632
- Tobacco tax, levy, collection, and enforcement of—
HB 41, pages 37, 98, 174, 441, 514, 560
SB 18, pages 239, 301, 377

COUNTIES 500,000 POPULATION OR MORE

- Board of education, naming of school buildings—
HB 77, pages 51, 102, 198, 451, 509, 559
- Circuit clerk, compensation—
HB 64, pages 46, 101, 192, 449, 508, 558
SB 45, pages 249, 305, 378
- Code of Alabama 1940, adoption of provisions of—
HB 93, pages 54, 102, 199, 264, 314, 483, 577, 610
- Judge of probate, deputy, creating office of—
HB 65, pages 47, 101, 193, 450, 508, 558
SB 46, pages 249, 305, 378
- Judge of probate, qualifications for holding office—
HB 71, pages 48, 102, 195, 450, 508, 558
SB 25, pages 241, 302, 377
- Licenses, method of issuing—
HB 74, pages 49, 102, 197, 450, 509, 559
SB 28, pages 242, 303, 378
- Motor vehicle operated by employee of, compensation to person for injury or damage to property caused by—
HB 42, pages 37, 98, 175, 441, 514, 559
- Property annexed to municipalities, assessment of—
HB 37, pages 35, 98, 172, 497, 549, 560
- Tax assessor, compensation—
HB 62, pages 45, 101, 191, 449, 507, 558
SB 43, pages 248, 304, 378
- Tax collector, compensation—
HB 62, pages 45, 101, 191, 449, 507, 558
SB 43, pages 248, 304, 378

COUNTIES 600,000 POPULATION OR MORE

County commission, compensation of president and members—

HB 60, pages 45, 101, 190, 442, 513, 559

SB 41, pages 248, 304, 378

County home, guardianship of inmates in —

HB 39, pages 36, 98, 173

Inferior court, compensation of judges—

HB 55, pages 42, 100, 187, 449, 507, 558

SB 36, pages 245, 304, 378

Judge, circuit, compensation—

HB 67, pages 48, 101, 194, 450, 508, 558

SB 48, pages 250, 305, 378

Judge of probate, compensation—

HB 66, pages 48, 101, 194, 450, 508, 558

SB 47, pages 250, 305, 378

Liquor tax levied—

HB 45, page 38

Municipalities within, method of annexing territory to—

HB 72, pages 49, 102, 196, 264

SB 26, pages 241, 303, 377, 453

Register, compensation—

HB 61, pages 45, 101, 191, 449, 507, 558

SB 42, pages 248, 304, 378

Sheriff, compensation—

HB 59, pages 45, 101, 190, 442, 513, 559

SB 40, pages 247, 304, 378

Solicitor, circuit, and deputy and assistant deputy circuit solicitors, compensation—

HB 53, pages 42, 100, 183, 442, 512, 559

HB 54, pages 42, 100, 184, 449, 507, 558

SB 34, pages 244, 304, 378

SB 35, pages 245, 304, 378

Treasurer, compensation—

HB 52, pages 42, 100, 182, 449, 507, 558

SB 33, pages 244, 303, 378

COUNTY COMMISSION

Counties 300,000 to 500,000 population, compensation of members—

HB 125, pages 71, 103, 202, 447, 511, 559

Counties 600,000 population or more, compensation of president and members—

HB 60, pages 45, 101, 190, 442, 513, 559

SB 41, pages 248, 304, 378

COUNTY COURT

Cities 10,275 to 10,875 population, compensation of judge of court established for precincts within—

SB 15, pages 255, 307, 387, 453

Counties 76,000 to 96,000 population, compensation of judge—

HB 263, pages 232, 307, 384, 530, 569, 591

Lauderdale County, created—

HB 102, pages 61, 96, 162, 445, 512, 559

SB 99, pages 238, 308, 394

COUNTY ENGINEERS

See: ENGINEERS, COUNTY

COUNTY SOLICITOR

See: SOLICITOR, COUNTY

COURT, CIRCUIT

See: CIRCUIT COURT

COURT, COUNTY

See: COUNTY COURT; name of specific county

COURT, INFERIOR

See: INFERIOR COURT; name of specific county

COURT, JUVENILE

See: JUVENILE COURT; name of specific county

COURT OF APPEALS

Judges, compensation—

HB 277, pages 340, 455, 516, 622, 634, 640

COURT OF COUNTY COMMISSIONERS

See also: BOARD OF REVENUE; name of specific county

Counties 18,800 to 19,500 population, compensation of members—
SB 156, pages 586, 593

Counties 24,525 to 24,675 population, expense allowance for members—
HB 223, page 216
SB 65, pages 258, 307, 388, 453

Counties 30,550 to 31,000 population, compensation of members—
SB 73, pages 238, 338, 463, 478

Counties 48,500 to 49,500 population, compensation of members—
HB 270, pages 339, 455, 483, 625, 634, 640

Counties 110,000 to 160,000 population, compensation of members and chairman—
HB 109, pages 68, 96, 164, 330, 394, 474

Dale County, compensation and expense allowance of members—
HB 22, pages 29, 95, 155, 445, 512, 559

COURT REPORTERS

Counties 57,000 to 61,000 population, compensation—
HB 146, pages 74, 97, 165, 446, 509, 559

Judicial circuits composed of two counties and having two judges, compensation—
HB 248, pages 219, 228, 420

COURT REPORTERS, SUPERNUMERARY

Qualifications and compensation—
HB 233, page 218

COURTHOUSES

Counties 13,700 to 14,300 population, closing of offices in—
HB 97, pages 57, 96, 160, 496, 549, 560

Counties 15,500 to 16,300, closing of offices in—
HB 33, pages 34, 95, 156, 441, 514, 559

COVINGTON COUNTY

Industrial development of, CA—
HB 198, pages 212, 225, 314

Opp, city of, boundaries altered—
HB 290, page 593

CRAWFORD, SHIRLEY

Commended—
HJR 28, pages 233, 438, 473, 474

CRIMES AND OFFENSES

Assaults and batteries, penalty for—
HB 86, pages 52, 224, 406, 471

Children, penalty for contributing to delinquency to—
HB 89, pages 53, 224, 405, 471

Children, penalty for enticing for immoral purposes—
HB 88, pages 53, 224, 405, 471

Children, penalty for indecent exposure in presence of—
HB 90, page 53

County prisoners, conditional release of—
HB 10, pages 25, 224, 407, 435, 498

Obscene publications and motion pictures, regulating traffic in—
HB 87, page 52

Utility poles, penalty for posting handbills or notices on—
HB 204, pages 213, 223, 400

CRIMINAL CASES

Assaults and batteries, penalty for—
HB 86, pages 52, 224, 406, 471

Charges pending against defendants or filed against defendants
serving sentences in the penitentiary, time of trial or dismissal
of—
HB 9, pages 25, 224, 408

Counties 100,000 to 115,000 population, granting of probation by cir-
cuit courts—
SB 13, pages 255, 307, 386, 452, 583, 602

County prisoners, conditional release of—
HB 10, pages 25, 224, 407, 435, 498

CRIMINAL COURT

Jefferson County, compensation of judges—
HB 57, pages 43, 100, 188, 442, 513, 559
SB 38, pages 246, 304, 378

CULLMAN COUNTY

Drake, representative Tom, extending congratulations to—
HR 34, page 365

Jury commission, compensation of members—
HB 177, page 105
HB 235, pages 218, 227, 324, 535, 567, 590

Register, compensation of deputy to—
HB 275, pages 340, 456, 484, 626, 635, 640
SB 140, pages 497, 573, 613, 632

Sheriff, compensation of employees of—
HB 234, pages 218, 227, 324, 535, 567, 590
SB 122, pages 433, 456, 486, 571

DALE COUNTY

Court of county commissioners, compensation and expense of members—
HB 22, pages 29, 95, 155, 445, 512, 559

Sheriff, allowance for empaneling grand juries—
HB 20, pages 28, 95, 154, 445, 512, 559

Sheriff, appointment and compensation of deputies—
HB 21, pages 29, 95, 154

Skipperville, naming of school in honor of superintendent George W. Long—
HJR 32, pages 313, 604, 616, 639

DALLAS COUNTY

Selma, city of, compensation of mayor—
SB 88, pages 471, 480, 577, 603

DAVIS, REPRESENTATIVE GILBERT EUGENE, SR.

Mourning death of—
HJR 22, pages 118, 209, 220, 221

DECATUR, CITY OF

Boundaries altered—
HB 148, pages 74, 97, 166, 446, 509, 559, 601
SB 5, pages 253, 307, 384, 452

DeKALB COUNTY

Board of registrars, compensation of members—
SB 137, pages 433, 460, 495, 571

Election officials, compensation—
SB 100, pages 431, 460, 493, 571

Jurors, compensation—
SB 101, pages 432, 460, 494, 571

Solicitor, deputy, office created in lieu of office of county solicitor—
SB 85, pages 429, 460, 493, 571

DEMOCRATIC NATIONAL CONVENTION

Alabama delegation commended—
HR 50, page 576

DEPUTY SOLICITOR

See: SOLICITOR, DEPUTY

DIVORCE

Grounds for, prescribed—

HB 201, pages 213, 223, 401

Residence requirements for, method of proving—

HB 145, pages 74, 92, 282, 396

DRAKE, REPRESENTATIVE TOM

Extending congratulations to—

HR 34, page 365

DRAUGHON, DOCTOR RALPH BROWN

Expressing appreciation to—

HJR 33, pages 357, 438, 473, 474

EDUCATION

Alabama trade school and junior college authority authorized to issue bonds—

HB 112, pages 68, 92, 280, 476, 505, 560

Attendance of pupils to schools, regulated—

HB 267, pages 313, 455, 503

Junior colleges and vocational technical schools, creating legislative committee on—

HJR 35, page 365

Schools, physical examination of children attending—

HB 286, pages 460, 480, 581

Schools, private, authorizing tuition grants for pupils attending—

HB 180, page 106

Southern Union College, appropriation for acquisition and operation of—

HB 24, pages 31, 337, 501, 502

SB 113, pages 425, 459, 501, 571

Textbook survey commission, state, created—

HB 176, page 105

Textbooks, creating commission to purchase and distribute—

HB 175, page 105

Textbooks, free, appropriation for distribution of—

HB 174, page 104

Textbooks, regulating adoption of—

HB 189, page 107

EIGHTEENTH JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, pages 104, 337, 502

EIGHTH JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, pages 104, 337, 502

Solicitor, requisitions on solicitor's fund—

HB 191, pages 108, 211, 277, 553, 575, 590

ELECTIONS

See also: BOARD OF REGISTRARS; PRIMARY ELECTIONS;
REGISTRATION OF VOTERS; VOTERS

Absentee voting by persons in national guard and other reserve components—

HB 212, page 214

HB 236, pages 218, 228, 417, 556, 567, 590

Ballots, paper, regulating use of—

HB 192, page 108

Conduct of persons at or near polling places, regulated—

HB 144, page 74

Counties 13,700 to 14,300 population, compensation of election officials—

HB 96, pages 57, 96, 159

Counties 15,417 to 16,303 population, compensation of election officials—

HB 32, pages 34, 95, 155, 440, 513, 559

Counties 24,800 to 25,400 population, providing for use of paper ballots at—

HB 155, pages 81, 97, 169, 447, 510, 559

Counties 25,400 to 25,600 population, compensation of election officials—

HB 4, pages 24, 95, 152

SB 70, pages 259, 308, 390, 453

Counties 51,000 to 56,000 population, compensation of election officials—

SB 129, pages 334, 339, 468, 479

Counties 65,000 to 95,000 population, compensation of election officials—

HB 157, pages 82, 97, 170, 446, 510, 559

SB 11, pages 255, 307, 386

Counties 150,000 to 300,000 population, compensation of election officials—

HB 258, pages 231, 338, 462, 541, 569, 591

Cities 300,000 population or less, regulating conduct of—

SB 19, pages 239, 301, 377, 577, 579, 603

Counties 300,000 to 500,000 population, providing for advisory referendums—

HB 115, pages 69, 102, 199, 540, 563, 590

DeKalb County, compensation of election officials—

SB 100, pages 431, 460, 493, 571

Election days, regulating conduct of persons on—

HB 144, page 74

ELEVENTH JUDICIAL CIRCUIT

Judges, compensation—

HB 101, pages 61, 96, 161, 445, 512, 559

SB 98, pages 262, 308, 394

ELMORE COUNTY

Loans, temporary, authorized—

HB 25, pages 31, 95, 155, 263, 526, 561, 590

Tallassee, city of, municipal development of, CA—

HB 183, page 106

EMPLOYEES' RETIREMENT SYSTEM, STATE

County engineers included under—

HB 168, pages 83, 94, 295

SB 58, pages 427, 458, 533, 572

EMPLOYEES, STATE

Per diem and mileage allowance for, amount of—

HB 197, page 109

ENGINEERS, COUNTY

Employees' retirement system, eligible for membership in—

HB 168, pages 83, 94, 295

SB 58, pages 427, 458, 533, 572

Employment, duties, compensation, and retirement of—

HB 170, pages 83, 94, 296

SB 59, pages 427, 458, 533, 572

ESTATES

Administration of, settlement by consent without notice—

HB 179, page 105

HB 185, pages 106, 223, 403

Children, appointment of mother or father as guardian—

HB 210, pages 214, 458, 532, 622, 634, 639

ETOWAH COUNTY

Board of education, qualifications of members—

HB 208, pages 213, 225, 316, 523, 566, 590

Board of registrars, meetings of—

HB 203, pages 213, 225, 315, 531, 566, 590

Conditional sales contracts, recordation of—

HB 143, pages 74, 224, 403

SB 77, pages 427, 458, 532, 572

Gadsden, city of, boundaries altered—

HB 29, pages 31, 210, 269, 522, 562, 590

HB 30, pages 33, 210, 269, 522, 562, 590

Gadsden, city of, qualifications of members of board of education—

HB 209, pages 214, 225, 317, 530, 566, 590

Glencoe, city of, boundaries altered—

HB 30, pages 33, 210, 269, 522, 562, 590

HB 265, page 308

Hokes Bluff, town of, boundaries altered—

HB 266, page 311

Jury commission, compensation of clerk and members—

HB 207, pages 213, 225, 316, 522, 566, 590

ETOWAH COUNTY (Continued)

- Justices of the peace, jurisdiction—
HB 31, pages 34, 210, 270, 520, 562, 590
- License inspector, term of office—
HB 151, pages 77, 97, 167, 446, 510, 559
- Rainbow City, town of, boundaries altered—
HB 29, pages 31, 210, 269, 522, 562, 590
- Sheriff, compensation—
HB 205, pages 213, 225, 315, 522, 566, 590
- Telephone calls within, charges for—
HB 272, page 340

EVIDENCE

- Testimony to be used in suits pending in foreign jurisdiction, procurement of—
HB 239, page 218

EXECUTORS AND ADMINISTRATORS

- Estates, settlement by consent without notice in administration of—
HB 179, page 105
HB 185, pages 106, 223, 403

FAIR GROUNDS, STATE

- Appropriation, construction of livestock pavilion barn at—
HB 181, pages 106, 209, 298
SB 119, pages 425, 480, 582, 603

FAYETTE COUNTY

- Coroner, compensation—
HB 34, pages 34, 95, 157, 435, 515, 560
- Courthouse, closing of offices in—
HB 33, pages 34, 95, 156, 441, 514, 559
- Election officials, compensation—
HB 32, pages 34, 95, 155, 440, 513, 559

FIELDS, REPRESENTATIVE CLARA STONE

- Appointed as Alabama's delegate to convention of Order of Women Legislators—
HJR 45, pages 550, 604, 616, 639

FIFTEENTH JUDICIAL CIRCUIT

- Bailiffs, compensation—
HB 124, pages 71, 103, 201, 447, 511, 559, 599, 621, 635, 640

FIFTH JUDICIAL CIRCUIT

- Solicitor, compensation—
HB 172, pages 104, 337, 502

FIRE PREVENTION

- Jefferson County, creation of districts for, CA—
HB 178, pages 105, 211, 279, 522, 569, 591

FIREMEN

Cities 250,000 population or more, benefits payable under retirement and relief system—

HB 70, pages 48, 101, 195, 439, 515, 560

SB 24, pages 241, 302, 377

Mobile County, city of Mobile, creating pension and relief fund for—

HB 278, pages 340, 456, 488, 626, 638, 640

SB 152, page 541

FIRST JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, pages 104, 337, 502

FISHING

Counties 100,000 to 115,000 population, regulated—

HB 194, pages 109, 211, 277, 527, 565, 590

Lamar County, regulated—

HB 94, pages 54, 95, 158, 442, 513, 559

Non-resident licenses, fee for issuance of—

HB 249, pages 228, 574, 613

Water improvement commission, fisheries industry represented on—

HB 287, page 480

FLORENCE, CITY OF

Boundaries altered—

HB 99, pages 57, 96, 160, 445, 512, 559

FOURTH JUDICIAL CIRCUIT

Judge, associate, compensation—

HB 23, pages 31, 95, 155, 263

SB 87, pages 259, 308, 391, 472, 478

Solicitor, expense allowance—

HB 172, pages 104, 337, 502

FRANKLIN COUNTY

Sheriff, compensation of deputy to—

HB 35, pages 34, 210, 271, 526, 562, 590

GADSDEN, CITY OF

Board of education, qualifications of members—

HB 209, pages 214, 225, 317, 530, 566, 590

Boundaries altered—

HB 29, pages 31, 210, 269, 522, 562, 590

HB 30, pages 33, 210, 269, 522, 562, 590

GAME AND FISH

Counties 12,500 to 13,500 population, licensing and regulation of private hunting preserves—

HB 213, pages 214, 226, 318

SB 121, pages 333, 338, 464, 478

Counties 26,000 to 27,000 population, licensing and regulation of private hunting preserves—

HB 211, pages 214, 225, 318

SB 120, pages 70, 103, 200, 447, 511, 559

GAME AND FISH (Continued)

Counties 48,100 to 49,700 population, licensing and regulation of private hunting preserves—

HB 221, pages 216, 226, 319, 553, 567, 590

Counties 49,500 to 50,500 population, licensing and regulation of private hunting preserves—

HB 105, pages 67, 96, 163, 446, 510, 559

Counties 100,000 to 115,000 population, fishing regulated—

HB 194, pages 109, 211, 277, 527, 565, 590

Fishing licenses, non-resident, fee for issuance of—

HB 249, pages 228, 574, 613

Lamar County, fishing regulated—

HB 94, pages 54, 95, 158, 442, 513, 559

Water improvement commission, fisheries industry represented on—

HB 287, page 480

GARBAGE

Jefferson County, creating system for collection of, CA—

HB 178, pages 105, 211, 279, 522, 569, 591

GEORGE C. WALLACE TUNNEL

Designation of—

HJR 11, pages 86, 90, 208, 221

GLENCOE, CITY OF

Boundaries altered—

HB 30, pages 33, 210, 269, 522, 562, 590

HB 265, page 308

GOLDTHWAITE, ALFRED W.

Remarks by, page 617

GOVERNOR

Commended—

HJR 7, pages 83, 90

HJR 13, pages 87, 91, 208, 221

HJR 27, pages 232, 437, 473, 474

SJR 17, page 578

Committee appointed to notify governor that legislature is in session—

HJR 2, pages 5, 22

SJR 1, page 6

Committee appointed to inform governor of sine die adjournment—

SJR 23, page 629

Committee on the aging, membership, organization, authority, and appointment of executive officer—

HB 200, pages 212, 228, 414

SB 92, pages 424, 459, 537, 556, 572

Labor day week-end, requested to urge Alabamians to take extra safety precautions during—

HJR 46, pages 570, 604, 616, 639

GOVERNOR (Continued)

Legislature, joint session to hear address by—

HJR 3, pages 6, 22

HJR 14, pages 89, 112

Message from, page 8

Message from, page 112

Pardon or parole of prisoner whose sentence has been commuted to life imprisonment, repealing provision for—

HB 6, pages 25, 225, 411

Proclamation by, page 3

Succession to office, authorized, CA—

HB 28, pages 31, 92, 280, 395, 498, 612

Unpledged electors urged to cast votes for governor George C. Wallace—

HJR 57, page 630

GREENE COUNTY

Board of registrars, compensation of members—

SB 89, pages 259, 308, 392, 453

Martin, P. T., relief of—

SB 91, pages 261, 308, 393, 454

Sheriff, authorizing additional deputy—

SB 90, pages 260, 308, 393, 454

GUARDIAN AND WARD

Estates, regulating settlement by consent without notice—

HB 179, page 105

HB 185, pages 106, 223, 403

GULF STATE PARK

Fishing pier at, construction of—

HB 1, pages 24, 228, 499, 622, 634, 639

SB 68, pages 425, 459, 536, 572

HALE COUNTY

Board of revenue, expense allowance for members—

HB 274, pages 340, 456, 500, 626, 634, 640

HANDBILLS

Utility poles, penalty for posting handbills or notices on—

HB 204, pages 213, 223, 400

HARRIS, MRS. EDNA

Expressing pleasure at recovery of—

HJR 17, pages 110, 209, 220, 221

HARTSELLE, TOWN OF

Boundaries altered—

HB 190, pages 107, 211, 276, 553, 565, 590

HEALTH

See: HOSPITALS; PUBLIC HEALTH

HIGHWAY DEPARTMENT, STATE

Engineers, county, employment, duties, compensation, and retirement of—

HB 170, pages 83, 94, 296

SB 59, pages 427, 458, 533, 572

Highway camps, creating office of spiritual guidance counselor for—
HB 2, page 24

Trade schools, construction, repair, and maintenance of streets and parking areas on campus of—
HB 169, page 83

HIGHWAYS

Counties 400,000 population or more, construction of highways and bridges by municipalities within—

HB 40, pages 37, 98, 173, 441, 514, 559

SB 16, pages 238, 301, 377

Four-lane, speed limit on—

HJR 25, pages 207, 479, 549, 560

“George C. Wallace Tunnel”, designation of—

HJR 11, pages 86, 90, 208, 221

Trailers, four-wheel, two-axle, regulating operation of—

HB 36, pages 35, 94, 294, 397

Tunnels, exemption from sales and use taxes structural steel used in fabrication of—

HB 138, pages 73, 93, 291, 397, 498, 579, 612

SB 93, page 581

“Yield right-of-way” signs, method of proceeding past—

HB 257, page 231

HILL, CHESTER DEE

Counties 22,500 to 24,550 population, relief of—

HB 251, pages 229, 306, 380, 553, 568, 591

HISTORICAL SITES

“Confederate Memorial Park,” designation of—

HJR 51, pages 582, 604, 616, 639

USS Alabama battleship commission, counties authorized to make appropriations to—

SB 141, page 471

HOKES BLUFF, TOWN OF

Boundaries altered—

HB 266, page 311

HOSPITALS

Mobile County, levy and collection of ad valorem tax for hospital purposes, CA—

HB 139, pages 73, 104, 206, 267, 535, 569, 591

HOTEL

Definition of, under alcoholic beverage control laws—

HB 132, pages 72, 228, 419

HOUSE OF REPRESENTATIVES

Adjournment—

HJR 44, pages 549, 558

HJR 53, page 605

SJR 4, page 89

Adjournment sine die—

HJR 56, pages 629, 632

SJR 18, page 575

Appropriation—

HB 111, pages 68, 92, 118, 148, 300, 335

SB 94, page 220

Bowers, representative Quinton R., extending congratulations to—

HJR 18, pages 111, 221, 234, 298

Clerical assistance after adjournment of—

HJR 48, pages 575, 587, 598, 639

Committee appointed to notify governor that legislature is in session—

HJR 2, pages 5, 22

SJR 1, page 6

Committee on the aging, membership, organization, authority, and appointment of executive officer—

SB 92, pages 424, 459, 537, 556, 572

Committee on uniform commercial code, created—

SJR 19, pages 609, 632, 637

Committee to inform governor of sine die adjournment, created—

SJR 23, page 629

Committee to make study regarding formation of new county, created—

HJR 37, page 367

Committee to study and advise with state board of corrections, created—

HJR 52, page 587

SJR 22, pages 623, 633, 637

Committee to study apportionment, created—

HJR 6, pages 23, 90, 637

Congress memorialized to take certain action relative to apportionment of—

HJR 5, pages 22, 90

HJR 12, pages 86, 90, 208, 221

Expressing appreciation to speaker and clerical assistants of—

HR 58, page 637

Governor, joint session to hear address by—

HJR 3, pages 6, 22

HJR 14, pages 89, 112

Journal, printing and binding of—

HJR 47, pages 575, 587, 598, 639

Martin, representative W. L. (Doc), mourning death of—

HJR 4, pages 7, 22, 109, 221

HOUSE OF REPRESENTATIVES (Continued)

National conference of state legislative leaders, payment of dues—
HJR 15, pages 109, 209, 220, 221

Parking places for members of, designation of—
HJR 23, pages 150, 236, 314, 335

Senate notified that house is in session—
HR 1, page 5

Special order for HB 111 and HB 114—
HR 21, page 118

Wood, representative J. Emmett, expressing pleasure on recovery—
HR 31, page 296

Young, representative Gus Wilson, designated as "Honorary Chaplain" of—
HR 20, page 112

HOUSING AUTHORITIES, COUNTY

Counties 150,000 to 300,000 population, compensation and duties of director and assistant director—
HB 199, pages 212, 306, 378, 527, 565, 590

HUNTING

Counties 12,500 to 13,500 population, licensing and regulation of private hunting preserves—
HB 213, pages 214, 226, 318
SB 121, pages 333, 338, 464, 478

Counties 26,000 to 27,000 population, licensing and regulation of private hunting preserves—
HB 211, pages 214, 225, 318
SB 120, pages 333, 338, 463, 478

Counties 48,100 to 49,700 population, licensing and regulation of private hunting preserves—
HB 221, pages 216, 226, 319, 553, 567, 590

Counties 49,500 to 50,500 population, licensing and regulation of private hunting preserves—
HB 105, pages 67, 96, 163, 446, 510, 559

HUSBAND AND WIFE

Divorce, method of proving residence requirements for—
HB 145, pages 74, 92, 282, 396

Divorce, prescribing grounds for—
HB 201, pages 213, 223, 401

INCOME TAX

Charitable contributions allowed as deduction under, amount of—
SB 55, page 451
HB 82, page 52

INDUSTRIAL DEVELOPMENT

Coffee County, provided for, CA—
HB 198, pages 212, 225, 314

Elmore County, city of Tallassee, provided for, CA—
HB 183, page 106

INDUSTRIAL DEVELOPMENT (Continued)

Municipal industrial development boards, manufacture, process, or assembly of mineral products—
HB 136, pages 72, 92, 285, 290
SB 133, pages 426, 459, 538, 572

Municipalities, research included under definition of term "project"—
HB 106, pages 67, 94, 293, 557, 562, 590
HB 107, pages 67, 94, 293, 557, 563, 590

INFANTS

"Alabama Uniform Gifts to Minors Act," savings and loan associations covered under—
HB 141, pages 73, 224, 404, 625, 634, 640

Guardian, appointment of mother or father as—
HB 210, pages 214, 458, 532, 622, 634, 639

Juvenile court, providing probationary service for—
HB 142, pages 73, 228, 421, 581, 588, 591

INFERIOR CIVIL COURT

Counties with cities having 200,000 to 300,000 population, compensation of judge—
HB 269, pages 313, 456, 488, 625, 634, 640

INFERIOR COURT

Butler County, compensation of judge—
SB 61, pages 255, 307, 387, 453

Butler County, repealing provision for expense allowance for judge of—
SB 64, pages 257, 307, 388, 453

Counties 600,000 population or more, compensation of judges—
HB 55, pages 42, 100, 187, 449, 507, 558
SB 36, pages 245, 304, 378

Jefferson County, establishment of—
HB 46, pages 38, 99, 177, 440, 513, 559
HB 47, pages 39, 99, 179, 448, 506, 558
SB 20, pages 237, 302, 377
SB 21, pages 239, 302, 377

Lauderdale County, abolished—
HB 102, pages 61, 96, 162, 445, 512, 559
SB 99, pages 238, 308, 394

JACKSON COUNTY

Sheriff, employment of criminal investigator—
SB 111, page 330

JACKSONVILLE STATE COLLEGE

"McCluer Chapel," designation of—
HJR 26, pages 232, 437, 473, 474

JAILS

County prisoners, conditional release of—
HB 10, pages 25, 224, 407, 435, 498

Municipal, removal of prisoner to another jail—
HB 182, pages 106, 223, 402, 629, 635, 640

JASPER, CITY OF

County court established for precincts within, compensation of judge—
SB 15, pages 255, 307, 387, 453

JEFFERSON COUNTY

Bessemer, city of, boundaries altered—
HB 220, pages 215, 227, 413, 630, 638, 640

Bessemer, city of, compensation and duties of members of governing body—
HB 51, pages 41, 100, 182, 442, 512, 559
SB 32, pages 244, 303, 378

Birmingham, city of, adoption of mayor-council form of government, and election and term of members—
HB 215, page 214

Birmingham, city of, adoption of mayor-council form of government, and filing of statements of candidacy—
HB 216, page 215

Birmingham, city of, adoption of mayor-council form of government, and filling vacancies in office of mayor or councilmen—
HB 217, page 215

Birmingham, city of, authorizing radio equipped motor vehicle for mayor of—
HB 48, pages 40, 99, 180, 440, 513, 559
SB 56, pages 252, 305, 378

Birmingham, city of, benefits payable under policemen's pension and relief fund—
HB 68, pages 48, 101, 194, 450, 508, 558
HB 70, pages 48, 101, 195, 439, 515, 560
SB 22, pages 241, 302, 377
SB 24, pages 241, 302, 377

Birmingham, city of, class suits against board of trustees of pension system of—
HB 188, pages 107, 210, 283, 527, 564, 590

Birmingham, city of, compensation of mayor—
HB 50, pages 41, 99, 181, 442, 512, 559
SB 31, pages 244, 303, 378

Birmingham, city of, contributions and benefits under employees' pension and relief system—
HB 69, pages 48, 101, 195, 450, 508, 558
SB 23, pages 241, 302, 377

Birmingham, city of, creating office of city magistrate—
HB 73, pages 49, 102, 196, 450, 508, 558, 559
SB 27, pages 241, 303, 378

Birmingham, city of, expense allowance for mayor of—
HB 49, pages 40, 99, 181, 443, 515, 560
SB 30, pages 236, 303, 378

Birmingham, city of, expense allowance for members of governing body of—
HB 76, pages 51, 102, 198, 443, 515, 560
SB 51, pages 252, 305, 378

JEFFERSON COUNTY (Continued)

- Birmingham, city of, payment of medical expenses incurred by persons assisting policemen—
HB 44, pages 38, 99, 176, 447, 511, 559
SB 17, pages 239, 301, 377
- Board of education, naming of school buildings—
HB 77, pages 51, 102, 198, 451, 509, 559
- Board of equalization, duties, term of service, and compensation of members—
HB 261, pages 231, 301, 376, 524, 569, 591
- Board of registrars, meetings of—
HB 43, pages 37, 99, 176, 447, 511, 559
SB 52, pages 252, 305, 378
- Circuit clerk, compensation—
HB 64, pages 46, 101, 192, 449, 508, 558
SB 45, pages 249, 305, 378
- Civil court, compensation of judges—
HB 56, pages 43, 100, 188, 449, 507, 558
SB 37, pages 245, 304, 378
- Code of Alabama 1940, adoption of certain provisions of—
HB 93, pages 54, 102, 199, 264, 314, 483, 577, 610
- Community chest, exemption from certain licenses and taxes—
SB 54, pages 557, 574, 614, 632
HB 83, pages 52, 228, 414, 416
- Conditional sales contracts, recordation of—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572
- County commission, compensation of president and members—
HB 60, pages 45, 101, 190, 442, 513, 559
SB 41, pages 248, 304, 378
- County home, guardianship of inmates in—
HB 39, pages 36, 98, 173
- Criminal court, compensation of judges—
HB 57, pages 43, 100, 188, 442, 513, 559
SB 38, pages 246, 304, 378
- Fire prevention, creation of districts for, CA—
HB 178, pages 105, 211, 279, 522, 569, 591
SB 50, pages 251, 305, 378
- Garbage, creating system for collection of, CA—
HB 178, pages 105, 211, 279, 522, 569, 591
SB 50, pages 251, 305, 378
- Highways and bridges, regulating construction by municipalities within—
HB 40, pages 37, 98, 173, 441, 514, 559
SB 16, pages 238, 301, 377
- Inferior court, compensation of judges—
HB 55, pages 42, 100, 187, 449, 507, 558
SB 36, pages 245, 304, 378

JEFFERSON COUNTY (Continued)

Inferior courts in certain precincts, establishment of—

HB 46, pages 38, 99, 177, 440, 513, 559

HB 47, pages 39, 99, 179, 448, 506, 558

SB 20, pages 237, 302, 377

SB 21, pages 239, 302, 377

Judge, circuit, compensation—

HB 67, pages 48, 101, 194, 450, 508, 558

SB 48, pages 250, 305, 378

Judge of probate, compensation—

HB 66, pages 48, 101, 193, 450, 508, 558

SB 47, pages 250, 305, 378

Judge of probate, deputy, creating office of—

HB 65, pages 47, 101, 193, 450, 508, 558

SB 46, pages 249, 305, 378

Judge of probate, qualifications for holding office—

HB 71, pages 48, 102, 195, 450, 508, 558

SB 25, pages 241, 302, 377

Jurors, method of serving notice upon—

HB 38, pages 35, 98, 173, 441, 514, 559

SB 49, pages 250, 305, 378

Licenses, method of issuing—

HB 74, pages 49, 102, 197, 450, 509, 559

SB 28, pages 242, 303, 378

Liquor tax levied—

HB 45, page 38

Motor vehicle operated by employee of, compensation for person for injury or damage to property caused by—

HB 42, pages 37, 98, 175, 441, 514, 559

Municipalities within, method of annexing territory to—

HB 72, pages 49, 102, 196, 264

SB 26, pages 241, 303, 377, 453

Property annexed to municipalities, assessment of—

HB 37, pages 35, 98, 172, 497, 549, 560

Register, compensation—

HB 61, pages 45, 101, 191, 449, 507, 558

SB 42, pages 248, 304, 378

Sheriff, compensation—

HB 59, pages 45, 101, 190, 442, 513, 559

SB 40, pages 247, 304, 378

Sheriff for the Bessemer division, compensation of assistant to—

HB 58, pages 44, 100, 189, 442, 513, 559

SB 39, pages 246, 304, 378

Sheriff, retirement of assistants to—

HB 276, pages 340, 456, 487

SB 150, pages 525, 573, 612, 632

Solicitor, circuit, and deputy circuit and assistant deputy circuit solicitors, compensation—

HB 53, pages 42, 100, 183, 442, 512, 559

HB 54, pages 42, 100, 184, 449, 507, 558

SB 34, pages 244, 304, 378

SB 35, pages 245, 304, 378

JEFFERSON COUNTY (Continued)

Tax assessor, compensation—

HB 62, pages 45, 101, 191, 449, 507, 558

SB 43, pages 248, 304, 378

Tax collector, compensation—

HB 62, pages 45, 101, 191, 449, 507, 558

SB 43, pages 248, 304, 378

Tobacco tax, levy, collection, and enforcement of—

HB 41, pages 37, 98, 174, 441, 514, 560

SB 18, pages 239, 301, 377

Treasurer, compensation—

HB 52, pages 42, 100, 182, 449, 507, 558

SB 33, pages 244, 303, 378

Witness fee for each deputy sheriff subpoenaed, taxing of—

HB 75, pages 49, 102, 197, 451, 509, 559

SB 29, pages 242, 303, 378

JORDAN, JOHN HAMILTON

Commended—

HJR 28, pages 233, 438, 473, 474

JUDGE, CIRCUIT

See also: JUDICIAL CIRCUITS; CIRCUIT COURT; specific judicial circuit

Counties 600,000 population or more, compensation—

SB 48, pages 250, 305, 378

Fourth judicial circuit, compensation of associate judge of—

HB 23, pages 31, 95, 155, 263

SB 87, pages 259, 308, 391, 472, 478

Judicial circuits composed of one county 60,500 to 65,000 population and having two judges, compensation—

HB 101, pages 61, 96, 161, 445, 512, 559

SB 98, pages 262, 308, 394

Judicial circuits composed of one county 110,000 to 160,000 population, compensation—

HB 108, pages 67, 96, 164, 330, 394, 474

Judicial circuits composed of one county 500,000 population or less and having two courthouses, compensation—

HB 226, pages 217, 226, 321, 586, 598, 639

Judicial circuits composed of three counties 90,000 to 130,000 population and having two judges, compensation—

HB 13, pages 25, 209, 314

Seventh judicial circuit, creating additional judgeship—

HB 244, pages 219, 225, 411, 555, 568, 591

Sixteenth judicial circuit, creating additional judgeship—

HB 206, pages 213, 223, 399

Tenth judicial circuit, creating additional judgeship—

HB 219, pages 215, 223, 398, 604, 617, 639

Twelfth judicial circuit, creating additional judgeship—

HB 17, pages 27, 92, 284, 550, 561, 590

SB 72, pages 427, 458

JUDGE OF PROBATE

- Counties 12,500 to 13,500 population, clerk-hire allowance—
HB 5, pages 24, 95, 153, 451, 509, 559
SB 74, page 259
- Counties 76,000 to 96,000 population, compensation and expense allowance—
HB 246, pages 219, 227, 328, 529, 568, 591
- Counties 80,000 population or less, recordation of conditional sales contracts—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572
- Counties 300,000 to 500,000 population, compensation—
HB 120, pages 70, 103, 200, 447, 511, 559
- Counties 500,000 population or more, creating office of deputy to—
HB 65, pages 47, 101, 193, 450, 508, 558
SB 46, pages 249, 305, 378
- Counties 500,000 population or more, qualifications for holding office—
HB 71, pages 48, 102, 195, 450, 508, 558
SB 25, pages 241, 302, 377
- Counties 600,000 population or more, compensation—
HB 66, pages 48, 101, 193, 450, 508, 558
SB 47, pages 250, 305, 378
- Estates, regulating settlement by consent without notice—
HB 179, page 105
HB 185, pages 106, 223, 403
- Mobile County, compensation of chiefs of divisions of office of—
HB 281, pages 351, 457, 492, 628, 635, 640

JUDGE, SUPERNUMERARY CIRCUIT

- Qualifications of—
HB 259, pages 231, 337, 471, 501, 612

JUDICIAL CIRCUITS

- See also: CIRCUIT COURT; specific judicial circuit
- Circuits composed of one county and having not less than one nor more than four judges, creating positions of administrative assistant and legal stenographer to—
HB 187, pages 106, 227, 329, 534, 564, 590
- Circuits composed of one county and having not less than four nor more than nine judges, compensation of solicitor—
HB 130, pages 71, 104, 204, 448, 506, 558
- Circuits composed of one county and having three or more judges, compensation of bailiffs—
HB 124, pages 71, 103, 201, 447, 511, 559, 599, 621, 635, 640
- Circuits composed of one county less than 500,000 population and having two courthouses where circuit court is required by law to be held, office space, supplies, and clerical assistance for board of registrars—
HB 268, pages 313, 338, 463
SB 148, pages 555, 573, 610, 632

JUDICIAL CIRCUITS (Continued)

Circuits composed of one county 60,000 to 65,000 population and having two judges, compensation of judges—
HB 101, pages 61, 96, 161, 445, 512, 559
SB 98, pages 262, 308, 394

Circuits composed of one county 65,000 to 95,000 population, appointment and compensation of bailiffs—
HB 158, pages 82, 97, 171, 446, 510, 559
SB 10, pages 255, 307, 386

Circuits composed of one county 500,000 population or less and having two courthouses, compensation of judges—
HB 226, pages 217, 226, 321, 586, 598, 639

Circuits composed of one county 500,000 population or less and having two courthouses, compensation of register—
SB 112, pages 331, 593

Circuits composed of three counties 90,000 to 130,000 population and having two judges, compensation of judges—
HB 13, pages 25, 209, 314

Circuits composed of three or more counties, expense allowance for solicitor of—
HB 172, pages 104, 337, 502

Circuits composed of two counties and having two judges, compensation of court reporters—
HB 248, pages 219, 228, 420

Eighth judicial circuit, regulating expenditures from solicitor's fund—
HB 191, pages 108, 211, 277, 553, 565, 590

Fourth judicial circuit, compensation of associate judge—
HB 23, pages 31, 95, 155, 263
SB 87, pages 259, 308, 391, 472, 478

Seventh judicial circuit, creating additional judgeship—
HB 244, pages 219, 225, 411, 555, 568, 591

Sixteenth judicial circuit, creating additional judgeship—
HB 206, pages 213, 223, 399

Sixth judicial circuit, appointment and compensation of investigator for solicitor of—
HB 161, page 82

Supernumerary circuit judges, qualifications—
HB 259, pages 231, 337, 471, 501, 612

Tenth judicial circuit, compensation of deputy circuit clerk—
HB 63, pages 46, 101, 192, 449, 507, 558
SB 44, pages 248, 304, 378

Tenth judicial circuit, creating additional judgeship—
HB 219, pages 215, 223, 398, 604, 617, 639

Thirteenth judicial circuit, appointment and compensation of deputy circuit solicitors—
HB 127, pages 71, 103, 203, 448, 512, 559

Twelfth judicial circuit, creating additional judgeship for—
HB 17, pages 27, 92, 284, 550, 561, 590
SB 72, pages 427, 458

Twenty-third judicial circuit, compensation of judges—
HB 108, pages 67, 96, 164, 330, 394, 474

JUDICIAL PROCEDURE

Testimony to be used in suits pending in foreign jurisdiction, procurement of—
HB 239, page 218

JUNIOR COLLEGES

Alabama trade school and junior college authority authorized to issue bonds—
HB 112, pages 68, 92, 280, 476, 505, 560

Interim legislative committee on, created—
HJR 35, page 365

JURORS

Counties 25,400 to 25,600 population, compensation—
HB 3, pages 24, 95, 152
SB 69, pages 259, 308, 390, 453

Counties 25,500 to 25,700 population, compensation—
HB 241, pages 219, 227, 326, 529, 568, 590

Counties 31,500 to 33,500 population, compensation—
HB 227, pages 217, 226, 322, 528, 567, 590

Counties 51,000 to 56,000 population, compensation—
SB 128, pages 334, 339, 467, 472, 479

DeKalb County, compensation—
SB 101, pages 432, 460, 494, 571

Jefferson County, method of serving notice upon—
HB 38, pages 35, 98, 173, 441, 514, 559
SB 49, pages 250, 305, 378

Lee County, compensation—
HB 104, pages 66, 96, 163, 447, 511, 559

JURY COMMISSION

Counties 42,000 to 46,000 population, compensation of members—
HB 177, page 105
HB 235, pages 218, 227, 324, 535, 567, 590
SB 123, pages 433, 456, 487, 571

Counties 65,000 to 95,000 population, compensation of clerk—
SB 8, pages 254, 307, 385, 452

Counties 96,000 to 106,000 population, compensation of clerk and members of—
HB 207, pages 213, 225, 316, 522, 566, 590

JUSTICES OF THE PEACE

Counties 96,000 to 106,000 population, jurisdiction—
HB 31, pages 34, 210, 270, 520, 562, 590

JUVENILE COURT

Pike County, compensation of clerk of—
HB 152, pages 78, 97, 168, 446, 510, 559

Probationary service in counties, provided for—
HB 142, pages 73, 228, 421, 581, 588, 591

KILBY PRISON

Highway camps, creating office of spiritual guidance counselor for—
HB 2, page 24

LABOR DAY

Governor requested to urge Alabamians to take extra safety precautions—
HJR 46, pages 570, 604, 616, 639

LABOR, STATE DEPARTMENT OF

Committee on the aging, membership, organization, authority, and appointment of executive officer—
SB 92, pages 424, 459, 537, 556, 572

LAMAR COUNTY

Courthouse, closing of offices in—
HB 97, pages 57, 96, 160, 496, 549, 560

Election officials, compensation—
HB 96, pages 57, 96, 159

Fishing regulated—
HB 94, pages 54, 95, 158, 442, 513, 559

Sulligent, town of, boundaries altered—
HB 95, pages 56, 96, 158, 496, 549, 560

Superintendent of education, compensation—
HB 98, pages 57, 96, 160, 445, 509, 559

LAUDERDALE COUNTY

County court created in lieu of inferior court—
HB 102, pages 61, 96, 162, 445, 512, 559
SB 99, pages 238, 308, 394

Florence, city of, boundaries altered—
HB 99, pages 57, 96, 160, 445, 512, 559

Judge, circuit, supplemental compensation—
HB 101, pages 61, 96, 161, 445, 512, 559
SB 98, pages 262, 308, 394

Tobacco tax levied—
HB 100, pages 59, 96, 161, 535, 562, 590

LAWRENCE COUNTY

Board of revenue, compensation and expense allowance of chairman and members—
HB 184, pages 106, 210, 275, 553, 564, 590

Hill, Chester Dee, relief of—
HB 251, pages 229, 306, 380, 553, 568, 591

LEE COUNTY

Coroner, expense allowance—
HB 103, pages 65, 96, 163, 447, 511, 559

Hunting preserves, private, licensing and regulation of—
HB 105, pages 67, 96, 163, 446, 510, 559

Jurors, compensation—
HB 104, pages 66, 96, 163, 447, 511, 559

LEGISLATURE

See also: ACTS OF ALABAMA; HOUSE OF REPRESENTATIVES;
RESOLUTIONS; SENATE

Adjournment—

HJR 44, pages 549, 558

HJR 53, page 605

SJR 4, page 89

Adjournment, sine die—

HJR 56, pages 629, 632

SJR 18, page 575

Appropriation, expenses of—

HB 111, pages 68, 92, 118, 148, 300, 335

SB 94, page 220

“Civil Rights Act of 1964,” voiding of, within the state of Alabama—

HB 285, pages 460, 480, 580

Clerical assistance after adjournment of—

HJR 48, pages 575, 587, 598, 639

Committee appointed to notify governor that legislature is in session—

HJR 2, pages 5, 22

SJR 1, page 6

Committee on junior colleges and vocational technical schools, creating—

HJR 35, page 365

Committee on uniform commercial code, creating—

SJR 19, pages 609, 632, 637

Committee to inform governor of sine die adjournment, created—

SJR 23, page 629

Committee to make study regarding formation of new county, creation of—

HJR 37, page 367

Committee to promote writing and printing of textbooks by Alabamians, created—

HJR 55, pages 614, 634, 638, 640

Committee to study and advise with state board of corrections, created—

HJR 52, page 587

SJR 22, pages 623, 633, 637

Committee to study apportionment, created—

HJR 6, pages 23, 90, 637

Congress memorialized to take certain action relative to reapportionment of—

HJR 5, pages 22, 90

HJR 12, pages 86, 90, 208, 221

Governor, joint session to hear address by—

HJR 3, pages 6, 22

HJR 14, pages 89, 112

Journals, printing and binding of—

HJR 47, pages 575, 587, 598, 639

LEGISLATURE (Continued)

National conference of state legislative leaders, payment of dues to—
HJR 15, pages 109, 209, 220, 221

Parking places for legislators, designation of—
HJR 23, pages 150, 236, 314, 335

Sanders, governor Carl, invited to address—
HJR 16, pages 110, 209, 220, 221

Senate notified that house is in session—
HR 1, page 5

Senate, reapportionment of—
HB 80, page 52

Senate, reapportionment of, CA—
HB 15, pages 26, 95, 297, 398, 498, 612
HB 16, pages 26, 95, 297, 398, 498, 612

LICENSE COMMISSIONER

Counties 300,000 to 500,000 population, compensation—
HB 131, pages 72, 104, 205, 448, 506, 558

LICENSE INSPECTOR

Counties 96,000 to 106,000 population, term of office—
HB 151, pages 77, 97, 167, 446, 510, 559

Counties 150,000 to 300,000 population, appointment, duties and
compensation—
HB 231, pages 217, 226, 323, 374, 528, 567, 590

Counties 225,000 to 400,000 population, compensation—
HB 122, pages 70, 103, 201, 447, 511, 559

LICENSES

Alabama masonic home, exemption from—
HB 264, pages 232, 455, 516, 622, 636, 640

Calhoun County, city of Anniston, collection and enforcement of
privilege license taxes—
HB 171, pages 104, 210, 275, 525, 564, 590, 620
SB 127, pages 334, 338, 465, 479, 621

Counties 500,000 population or more, method of issuing—
HB 74, pages 49, 102, 197, 450, 509, 559
SB 28, pages 242, 303, 378

Jefferson County community chest, incorporated, exemption from—
SB 54, pages 557, 574, 614, 632

Mobile County, levy of license tax on motor vehicles—
HB 282, pages 352, 457, 517

Sanitarians—
HB 156, pages 81, 94, 294, 552, 563, 590

Vending machines selling peanuts and other merchandise at the
price of one cent—
HB 218, page 215

LIEUTENANT GOVERNOR

Succession to office, authorized, CA—
HB 28, pages 31, 92, 280, 395, 498, 612

LIQUOR

See: ALCOHOLIC BEVERAGES

LITTLEVILLE, TOWN OF

Boundaries altered—

HB 18, pages 27, 209, 268, 526, 561, 590

LONG, GEORGE W.

Naming of school at Skipperville in honor of—

HJR 32, pages 313, 604, 616, 639

MACON COUNTY

Board of registrars, meetings, supplies, and clerical assistance—
SB 147, pages 525, 593

Hunting preserves, private, licensing and regulation of—

HB 211, pages 214, 225, 318

SB 120, pages 333, 338, 463, 478

MADISON COUNTY

Branch banks authorized—

HB 160, pages 82, 97, 171, 330, 394, 474

SB 107, pages 332, 338, 496, 571

Conditional sales contracts, recordation of—

HB 143, pages 74, 224, 403

SB 77, pages 427, 458, 532, 572

Court of county commissioners, compensation of chairman and members—

HB 109, pages 68, 96, 164, 330, 394, 474

Judge, circuit, compensation—

HB 108, pages 67, 96, 164, 330, 394, 474

Williams, Willie B., relief of—

SB 104, pages 331, 338, 495, 571

MAGAZINES

Obscene publications, regulating traffic in—

HB 87, page 52

MAGISTRATES

Cities 300,000 population or more, creating office of city magistrate—

HB 73, pages 49, 102, 196, 450, 508, 558, 559

SB 27, pages 241, 303, 378

“Search warrant,” defined—

HB 273, page 340

MAID OF COTTON

Meredith, Katie Sue, extending congratulations to—

HJR 8, pages 84, 90, 208, 221

MARITAL RELATIONS

Divorce, method of proving residence requirements for—

HB 145, pages 74, 92, 282, 396

Divorce, prescribing grounds for—

HB 201, pages 213, 223, 401

MARRIAGE AND DIVORCE

Divorce, method of proving residence requirements for—
HB 145, pages 74, 92, 282, 396

Divorce, prescribing grounds for—
HB 201, pages 213, 223, 401

MARSHALL COUNTY

Register, circuit court, compensation—
SB 112, pages 331, 593

MARTIN, REPRESENTATIVE W. L. (DOC)

Mourning death of—
HJR 4, pages 7, 22, 109, 221

MARTIN, P. T.

Greene County, relief of—
SB 91, pages 261, 308, 393, 454

MAYOR

Cities 28,000 to 29,000 population, compensation—
SB 88, pages 471, 480, 577, 603

Cities 200,000 population or more, compensation—
HB 50, pages 41, 99, 181, 442, 512, 559
SB 31, pages 244, 303, 376

Cities 300,000 population or more, expense allowance for—
HB 49, pages 40, 99, 181, 443, 515, 560
SB 30, pages 236, 303, 378

MAYOR-COUNCIL FORM OF GOVERNMENT

Cities 300,000 population or more, adoption of, and election and term of members—
HB 215, page 214

Cities 300,000 population or more, adoption of, and filing of statements of candidacy—
HB 216, page 215

Cities 300,000 population or more, adoption of, and filling vacancies in office of mayor or councilmen—
HB 217, page 215

McCLUER CHAPEL

Jacksonville state college, designation of—
HJR 26, pages 232, 437, 473, 474

MEDICAL CLINIC

Definition of—
HB 250, pages 228, 337, 502, 612

MEREDITH, KATIE SUE

Extending congratulations to—
HJR 8, pages 84, 90, 208, 221
page 118

MINES AND MINING

Municipal industrial development boards, authorized to promote manufacture, processing, or assembly of mineral products—
HB 136, pages 72, 92, 285, 290
SB 133, pages 426, 459, 538, 572

MINORS

“Alabama Uniform Gifts to Minors Act,” savings and loan associations covered under—
HB 141, pages 73, 224, 404, 625, 634, 640

Counties 100,000 to 115,000 population, regulating operation of child care institutions—
HB 196, pages 109, 211, 278, 527, 565, 590
HB 214, pages 214, 226, 319, 534, 566, 590

Delinquency of, penalty for contributing to—
HB 89, pages 53, 224, 405, 471

Guardian, appointment of mother or father as—
HB 210, pages 214, 458, 532, 622, 634, 639

Indecent exposure in presence of, penalty for—
HB 90, page 53

Juvenile court, providing probationary service for—
HB 142, pages 73, 228, 421, 581, 588, 591

Penalty for enticing for immoral purposes—
HB 88, pages 53, 224, 405, 471

MOBILE BAY

Battle of, commending Mobile County, the city of Mobile, and the State for their efforts to memorialize centennial of—
HJR 10, pages 85, 90, 208, 221

Designating tunnel under, as the “George C. Wallace Tunnel”—
HJR 11, pages 86, 90, 208, 221

MOBILE, CITY OF

Chief of police, merit system status for—
HB 137, pages 73, 104, 205, 553, 581, 589, 599, 617, 639

Pension system, class suits against board of trustees of—
HB 188, pages 107, 210, 283, 527, 564, 590

Policemen's and fire fighter's pension and relief fund, created—
HB 278, pages 340, 456, 488, 626, 638, 640
SB 152, page 541

MOBILE COUNTY

Ad valorem tax for hospital purposes, levy and collection of—
HB 139, pages 73, 104, 206, 267, 535, 569, 591

Advisory referendums, provided for—
HB 115, pages 69, 102, 199, 540, 563, 590

Assessment of real property, period for—
HB 128, pages 71, 103, 203, 448, 506, 558

Board of registrars, compensation of members—
HB 126, pages 71, 103, 202, 447, 511, 559

MOBILE COUNTY (Continued)

Circuit clerk, compensation—
HB 116, page 69

Circuit court, compensation of deputy register of domestic relations
division of—
HB 129, pages 71, 103, 204, 448, 506, 558

Circuit court, compensation of solicitor of the domestic relations
division of—
HB 130, pages 71, 104, 204, 448, 506, 558

Conditional sales contracts, recordation of—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572

County commission, compensation of members—
HB 125, pages 71, 103, 202, 447, 511, 559

Court of general sessions, appointment and compensation of bailiffs—
HB 118, pages 69, 339, 466, 534, 563, 590

Elected officials and former elected officials, retirement allowance
for—
HB 291, page 594

Inferior civil court, compensation of judge—
HB 269, pages 313, 456, 488, 625, 634, 640

Judge of probate, compensation—
HB 120, pages 70, 103, 200, 447, 511, 559

Judge of probate, compensation of chiefs of divisions of office of—
HB 281, pages 351, 457, 492, 628, 635, 640

License commissioner, compensation—
HB 131, pages 72, 104, 205, 448, 506, 558

License inspector and chief clerk, compensation—
HB 122, pages 70, 103, 201, 447, 511, 559

Mobile, city of, class suits against board of trustees of pension sys-
tem of—
HB 188, pages 107, 210, 283, 527, 564, 590

Mobile, city of, creating policemen's and fire fighter's pension and
relief fund—
HB 278, pages 340, 456, 488, 626, 638, 640
SB 152, page 541

Mobile, city of, merit system status for chief of police of—
HB 137, pages 73, 104, 205, 553, 581, 589, 599, 617, 639

Motor vehicles, levy of license tax and registration fee on—
HB 282, pages 352, 457, 517

Prichard, city of, collection of sales and use taxes levied by—
HB 292, page 596

Pulpwood, regulating use and operation of motor vehicles used to
transport—
HB 186, page 106

Register, compensation—
HB 121, page 70

MOBILE COUNTY (Continued)

Sheriff, compensation of deputies and assistants to—
HB 253, pages 229, 306, 423, 534, 568, 591
HB 280, pages 349, 457, 491, 628, 635, 640

Sheriff, exemption from liability—
HB 117, pages 69, 103, 199
HB 289, page 574

Sheriff, liability for acts of deputies—
HB 289, page 574

Sheriff, uniforms for deputies—
HB 252, pages 229, 306, 378, 529, 568, 591
HB 279, pages 347, 456, 490, 626, 635, 640

South Brookley little league team, extending congratulations to—
SJR 12, pages 454, 479

Tax assessor, fee provided for program of tax equalization—
SB 139, page 428

Treasurer, assistant, appointment and compensation—
HB 119, page 69, 103, 200, 447, 511, 559

MOBILE RIVER

Appropriation, survey of mineral, water, and petroleum resources
of counties within basin of—
HB 162, page 82

MONROE COUNTY

Tax assessor, clerical assistance—
HB 283, pages 355, 456, 485, 628, 635, 640
SB 154, pages 525, 573, 611, 632

Tax collector, clerical assistance—
HB 284, pages 355, 456, 486, 629, 635, 640
SB 153, pages 525, 573, 611, 632

MONTGOMERY, CITY OF

Pension system, class suits against board of trustees of—
HB 188, pages 107, 210, 283, 527, 564, 590

MONTGOMERY COUNTY

Board of equalization, appointment of members—
HB 230, pages 217, 226, 323, 373, 528, 567, 590

Board of registrars, appointment and compensation of members—
HB 232, pages 218, 226, 323, 375, 528, 567, 590

Board of registrars, meetings of—
HB 202, pages 213, 339, 468, 534, 566, 590

Circuit court, domestic relations division of, issuance of warrants
and administering oaths—
HB 260, pages 231, 338, 462

Conditional sales contracts, recordation of—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572

Election officials, compensation—
HB 258, pages 231, 338, 462, 541, 569, 591

MONTGOMERY COUNTY (Continued)

Housing authority, compensation and duties of director and assistant director—

HB 199, pages 212, 306, 378, 527, 565, 590

License inspectors, appointment, duties, and compensation—

HB 231, pages 217, 226, 323, 374, 528, 567, 590

Montgomery, city of, class suits against board of trustees of pension system of—

HB 188, pages 107, 210, 283, 527, 564, 590

MORGAN COUNTY

Board of revenue and control, compensation of chairman and members—

HB 147, pages 74, 97, 165, 451, 509, 559

Court reporters, compensation—

HB 146, pages 74, 97, 165, 446, 509, 559

Decatur, city of, boundaries altered—

HB 148, pages 74, 97, 166, 446, 509, 559, 601

SB 5, pages 253, 307, 384, 452

Hartselle, town of, boundaries altered—

HB 190, pages 107, 211, 276, 553, 565, 590

Trinity, town of, boundaries altered—

HB 149, pages 75, 97, 166, 446, 510, 559

MOTEL

Definition of, under alcoholic beverage control laws—

HB 132, pages 72, 228, 419

MOTION PICTURE THEATRES

Obscene motion pictures, regulating traffic in—

HB 87, page 52

MOTOR VEHICLES

Counties 200,000 to 500,000 population, regulating use and operation of vehicles used for transporting pulpwood—

HB 186, page 106

Four-lane highways, speed limit on—

HJR 25, pages 207, 479, 549, 560

Inspection of, periodic, required—

HB 78, page 51

License tags, transfer of—

HB 123, pages 71, 103, 265

Mobile County, levy of license tax and registration fee on—

HB 282, pages 352, 457, 517

Traffic violations, assessing additional penalty for driver education and training fund—

HB 84, pages 52, 458, 535, 629, 631, 636, 639, 640

“Yield right-of-way” signs, method of proceeding past—

HB 257, page 231

MULLINS, MARYON PITTMAN

Extending congratulations on marriage of—
SJR 3, pages 91, 207

MUNICIPALITIES

See: CITIES, GENERAL LAWS; name of specific city or town; city
or town on population basis

NASH, T. R.

Mourning death of—
HJR 30, pages 295, 436, 473, 474

NATIONAL BROADCASTING COMPANY

Criticized for its prejudiced manner—
HJR 54, page 607

NATIONAL GUARD

Absentee voting by members of—
HB 212, page 214
HB 236, pages 218, 228, 417, 556, 567, 590

NINETEENTH JUDICIAL CIRCUIT

Solicitor, expense allowance—
HB 172, pages 104, 337, 502

NINTH JUDICIAL CIRCUIT

Judges, compensation—
HB 13, pages 25, 209, 314
Solicitor, expense allowance—
HB 172, pages 104, 337, 502

NOTICES

Utility poles, penalty for posting handbills or notices on—
HB 204, pages 213, 223, 400

OBSCENE PUBLICATIONS

Regulating traffic in—
HB 87, page 52

OPP, CITY OF

Boundaries altered—
HB 290, page 593

ORDER OF WOMEN LEGISLATORS

Appointing Mrs. Clara Stone Fields as Alabama's delegation to con-
vention of—
HJR 45, pages 550, 604, 616, 639

ORGANIZATIONS

Alabama masonic home, exemption from certain licenses and taxes—
HB 264, pages 232, 455, 516, 622, 636, 640

Charitable contributions allowed as deduction for income tax pur-
poses, amount of—
SB 55, page 451

Jefferson County community chest, incorporated, exemption from
certain licenses and taxes—
SB 54, pages 557, 574, 614, 632

PALUMBO, JOSEPH

Extending congratulations to—
HJR 40, pages 480, 587, 598, 639

PARDON AND PAROLES

Notice of granting, providing for waiver of—
HB 7, pages 25, 225, 410

Pardon or parole of person whose sentence has been commuted to
life imprisonment, repealing provision for—
HB 6, pages 25, 225, 411

PARDON AND PAROLES, STATE BOARD OF

Compensation of members—
HB 135, pages 72, 92, 285

PARKS AND MONUMENTS

“Confederate Memorial Park,” designation of—
HJR 51, pages 582, 604, 616, 639

Gulf state park, construction of fishing pier at—
HB 1, pages 24, 228, 499, 622, 634, 639
SB 68, pages 425, 459, 536, 572

USS Alabama battleship commission, counties authorized to make
appropriations to—
HB 134, pages 72, 224, 404, 603, 617, 639
SB 141, page 471

PARTLOW STATE SCHOOL

Appropriation—
HB 256, page 231

PENSION AND RELIEF SYSTEMS

See: RETIREMENT SYSTEMS

PENSIONS AND SECURITY, STATE DEPARTMENT OF

Public welfare trust fund, used to provide probationary service to
juvenile courts in certain counties—
HB 142, pages 73, 228, 421, 581, 588, 591

PIKE COUNTY

Circuit clerk, deputy, compensation—
HB 153, pages 79, 97, 168, 446, 510, 559

Juvenile court, compensation of clerk—
HB 152, pages 78, 97, 168, 446, 510, 559

Tax assessor, deputy, compensation—
HB 150, pages 77, 97, 167, 446, 510, 559

Tax collector, deputy, compensation—
HB 151, pages 77, 97, 167, 446, 510, 559

Troy, city of, boundaries altered—
HB 254, pages 229, 306, 380, 529, 569, 591

POLICEMEN

Cities 100,000 population or more, benefits payable under pension and relief fund—

HB 68, pages 48, 101, 194, 450, 508, 558

SB 22, pages 241, 302, 377

Cities 200,000 to 300,000 population, merit system status for chief of police of—

HB 137, pages 73, 104, 205, 553, 581, 589, 599, 617, 639

Cities 250,000 population or more, benefits payable under retirement and relief system—

HB 70, pages 48, 101, 195, 439, 515, 560

SB 24, pages 241, 302, 377

Mobile County, city of Mobile, creating pension and relief fund for—

HB 278, pages 340, 456, 488, 626, 638, 640

SB 152, page 541

POWERS, VICKI

Extending congratulations to—

SJR 10, pages 439, 479

PRESIDENT, UNITED STATES

Urging unpledged electors to cast votes for governor George C. Wallace—

HJR 57, page 630

PRICHARD, CITY OF

Sales and use taxes levied by, collection of—

HB 292, page 596

PRIMARY ELECTIONS

Absentee voting by persons in national guard and other reserve components—

HB 212, page 214

HB 236, pages 218, 228, 417, 556, 567, 590

Ballots, paper, regulating use of—

HB 192, page 108

Cities 300,000 population or less, regulating conduct of—

SB 19, pages 239, 301, 377, 577, 579, 603

Conduct of persons at or near polling places, regulated—

HB 144, page 74

Counties 13,700 to 14,300 population, compensation of election officials—

HB 96, pages 57, 96, 159

Counties 15,417 to 16,303 population, compensation of election officials—

HB 32, pages 34, 95, 155, 440, 513, 559

Counties 24,800 to 25,400 population, providing for the use of paper ballots at—

HB 155, pages 81, 97, 169, 447, 510, 559

Counties 25,400 to 25,600 population, compensation of election officials—

HB 4, pages 24, 95, 152

SB 70, pages 259, 308, 390, 453

PRIMARY ELECTIONS (Continued)

Counties 51,000 to 56,000 population, compensation of election officials—

SB 129, pages 334, 339, 468, 479

Counties 65,000 to 85,000 population, compensation of election officials—

HB 157, pages 82, 97, 170, 446, 510, 559

Counties 65,000 to 95,000 population, compensation of election officials—

SB 11, pages 255, 307, 386

Counties 150,000 to 300,000 population, compensation of election officials—

HB 258, pages 231, 338, 462, 541, 569, 591

DeKalb County, compensation of election officials—

SB 100, pages 431, 460, 493, 571

PRISONERS

Charges pending against defendants or filed against defendants serving sentences in the penitentiary, time of trial or dismissal of—

HB 9, pages 25, 224, 408

County prisoners, conditional release of—

HB 10, pages 25, 224, 407, 435, 498

Highway camps, creating office of spiritual guidance counselor for—

HB 2, page 24

Municipal jails, removal of prisoner to another jail—

HB 182, pages 106, 223, 402, 629, 635, 640

Pardon or parole of person whose sentence has been commuted to life imprisonment, repealing provision for—

HB 6, pages 25, 225, 411

Pardons and paroles, waiver of notice of granting—

HB 6, pages 25, 225, 411

Sex offenders, requiring segregation of—

HB 85, pages 52, 224, 407

PRIVILEGE LICENSES

See: LICENSES

PROBATE JUDGE

See: JUDGE OF PROBATE

PROFESSIONS AND OCCUPATIONS

Chiropractic examiners, state board of, appropriation—

HB 193, pages 108, 228, 419, 553, 565, 590

Chiropractors, fee for renewal of certificate of qualification—

HB 159, pages 82, 93, 291, 397, 553, 564, 590

State bar, method of becoming member of—

HB 237, pages 218, 300, 422

PROPERTY

See also: REAL PROPERTY

Alabama masonic home, exemption from certain licenses and taxes—
HB 264, pages 232, 455, 516, 622, 636, 640

Apartment ownership, providing for—
HB 81, pages 52, 209, 297, 598, 616, 639

Conditional sales contracts, recordation of—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572

Counties 80,000 population or less, recordation of conditional sales contracts—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572

Jefferson County community chest, incorporated, exemption from certain licenses and taxes—
SB 54, pages 557, 574, 614, 632

State-owned, regulating sale of—
HB 173, page 104

PROPERTY AND CONVEYANCES

Conditional sales contracts, recordation of—
HB 143, pages 74, 224, 403
SB 77, pages 427, 458, 532, 572

PUBLIC HEALTH

Medical clinic, definition of—
HB 250, pages 228, 337, 502, 612

Sanitarians, examination, qualifications, and registration of—
HB 156, pages 81, 94, 294, 552, 563, 590

PUBLIC SAFETY, STATE DEPARTMENT OF

Four-lane highways, speed limit on—
HJR 25, pages 207, 479, 549, 560

Motor vehicle inspection, periodic, required—
HB 78, page 51

Motor vehicle license tags, transfer of—
HB 123, pages 71, 103, 265

PUBLIC UTILITIES

Counties 96,000 to 106,000 population, charges for telephone calls within—
HB 272, page 340

Utility poles, penalty for posting handbills or notices on—
HB 204, pages 213, 223, 400

PUBLIC WELFARE

Trust fund, providing probationary service to juvenile courts in certain counties—
HB 142, pages 73, 228, 421, 581, 588, 591

PULPWOOD

Motor vehicles used to transport, regulating use and operation of—
HB 186, page 106

RAINBOW CITY, TOWN OF

Boundaries altered—
HB 29, pages 31, 210, 269, 522, 562, 590

RANDOLPH COUNTY

Court of county commissioners, compensation of members—
SB 156, pages 586, 593

REAL PROPERTY

Alabama masonic home, exemption from certain licenses and taxes—
HB 264, pages 232, 455, 516, 622, 636, 640

Counties 300,000 to 500,000 population, period for assessment of—
HB 128, pages 71, 103, 203, 448, 506, 558

Counties 500,000 population or more, assessment of property annexed to municipalities within—
HB 37, pages 35, 98, 172, 497, 549, 560

Jefferson County community chest, incorporated, exemption from certain licenses and taxes—
SB 54, pages 557, 574, 614, 632

REAPPORTIONMENT

Senate—
HB 80, page 52

Senate, CA—
HB 15, pages 26, 95, 297, 398, 498, 612
HB 16, pages 26, 95, 297, 398, 498, 612

REDISTRICTING

Congressional—
HB 19, page 28
HB 26, page 31
HB 27, page 31
HB 79, page 52
HB 110, page 68
HB 114, pages 69, 94, 118, 119, 148, 149, 206, 355, 358, 362, 395, 474
HB 288, page 574

REGISTER, CIRCUIT COURT

Counties 42,000 to 46,000 population, compensation of deputy clerk—
HB 275, pages 340, 456, 484, 626, 635, 640
SB 140, pages 497, 573, 613, 632

Counties 225,000 to 500,000 population, compensation of deputy register of domestic relations division of circuit court in—
HB 129, pages 71, 103, 204, 448, 506, 558

Counties 300,000 to 500,000 population, compensation—
HB 121, page 70

Counties 600,000 population or more, compensation—
HB 61, pages 45, 101, 191, 449, 507, 558
SB 42, pages 248, 304, 378

REGISTER, CIRCUIT COURT (Continued)

Funds held by, investment of—
HB 140, pages 73, 224

Judicial circuits composed of one county 500,000 population or less
and having two courthouses, compensation—
SB 112, pages 331, 593

REGISTRATION OF VOTERS

See also: BOARD OF REGISTRARS; VOTERS

Board of registrars, county governing bodies authorized to furnish
clerical assistance and certain supplies and services to—
HB 12, page 25

Board of registrars, subject to approval of state sovereignty com-
mission, authorized to regulate—
HB 11, pages 25, 457, 518, 622, 634, 639

Counties 26,000 to 27,000 population, meetings, supplies, and clerical
assistance for board of registrars—
SB 147, pages 525, 593

Counties 31,500 to 33,500 population, compensation of members of
board of registrars—
HB 228, pages 217, 226, 322, 528, 567, 590

Counties 38,000 to 45,000 population, compensation of members of
board of registrars—
SB 137, pages 433, 460, 495, 571

Counties 48,500 to 49,500 population, compensation of members of
boards of registration—
HB 271, pages 339, 455, 484, 625, 634, 640

Counties 96,000 to 106,000 population, meetings of board of regis-
trars—
HB 203, pages 213, 225, 315, 531, 566, 590

Counties 150,000 to 300,000 population, compensation of members of
board of registrars—
HB 232, pages 218, 226, 323, 375, 528, 567, 590

Counties 150,000 to 300,000 population, meetings of board of regis-
trars—
HB 202, pages 213, 339, 458, 534, 566, 590

Counties 400,000 population or more, meetings of board of regis-
trars—
HB 43, pages 37, 99, 176, 447, 511, 559
SB 52, pages 252, 305, 378

Greene County, compensation of members of board of registrars—
SB 89, pages 259, 308, 392, 453

Judicial circuits composed of one county less than 500,000 population
and having two courthouses where circuit court is required to
be held, office space, supplies, and clerical assistance for board
of registrars—
HB 268, pages 313, 338, 463
SB 148, pages 555, 573, 610, 632

REIDENTIFICATION OF VOTERS

Counties 100,000 to 115,000 population, provided for—
HB 195, pages 109, 211, 278, 521, 565, 590

RELIEF ACTS LOCAL

Butler County, Joseph H. Till, Jr.—
SB 66, pages 258, 308, 389, 453

Counties 22,550 to 24,550 population, Chester Dee Hill—
HB 251, pages 229, 306, 380, 553, 568, 591

Greene County, P. T. Martin—
SB 91, pages 261, 308, 393, 454

Madison County, Willie B. Williams—
SB 104, pages 331, 338, 495, 571

RESOLUTIONS

Abbott, L. C., mourning death of—
HJR 49, pages 576, 604, 616, 639

Adams, senator Charles H., expressing regret on illness of—
SJR 16, pages 557, 573

Alison, doctor Samuel Beekman, mourning death of—
HJR 36, pages 366, 436, 473, 474

Allen, lieutenant-governor James B., extending congratulations on marriage of—
SJR 3, pages 91, 207

American legion commended for efforts on behalf of enshrinement of battleship USS Alabama—
SJR 20, pages 578, 603

Bay Minette key club, commended—
HJR 24, pages 206, 236, 314, 335

Bowers, representative Quinton R., extending congratulations to—
HJR 18, pages 111, 221, 234, 298

Brantley, Alex E., mourning death of—
HJR 43, pages 482, 604, 616, 639

Camp, commander William B., extending congratulations to—
HJR 41, pages 481, 587, 598, 639

"Confederate Memorial Park," designation of—
HJR 51, pages 582, 604, 616, 639

Congress memorialized to take certain action relative to apportionment of legislature—
HJR 5, pages 22, 90
HJR 12, pages 86, 90, 208, 221

Crawford, Shirley, commended—
HJR 28, pages 233, 438, 473, 474

Dale County, naming of school at Skipperville in honor of superintendent George W. Long—
HJR 32, pages 313, 604, 616, 639

Davis, representative Gilbert Eugene, Sr., mourning death of—
HJR 22, pages 118, 209, 220, 221

RESOLUTIONS (Continued)

Democratic national convention, Alabama delegation commended—
HR 50, page 576

Drake, representative Tom, extending congratulations to—
HR 34, page 365

Draughon, doctor Ralph Brown, expressing appreciation to—
HJR 33, pages 357, 438, 473, 474

Fields, representative Clara Stone, appointed as Alabama's delegate
to convention of Order of Women Legislators—
HJR 45, pages 550, 604, 616, 639

"George C. Wallace Tunnel", designation of—
HJR 11, pages 86, 90, 208, 221

Harris, Mrs. Edna, expressing pleasure at recovery of—
HJR 17, pages 110, 209, 220, 221

Highways, four-lane, speed limit on—
HJR 25, pages 207, 479, 549, 560

House of representatives, expressing appreciation to speaker and
clerical assistants of—
HR 58, page 637

House of representatives, special order for H. 111 and H. 114—
HR 21, page 118

Jacksonville state college, designation of "McCluer Chapel"—
HJR 26, pages 232, 437, 473, 474

Jordan, John Hamilton, commended—
HJR 28, pages 233, 438, 473, 474

Labor day week-end, governor requested to urge Alabamians to take
extra safety precautions during—
HJR 46, pages 570, 604, 616, 639

Legislature, adjournment—
HJR 44, pages 549, 558
HJR 53, page 605
SJR 4, page 89

Legislature, adjournment sine die—
HJR 56, pages 629, 632
SJR 18, page 575

Legislature, clerical assistance after adjournment of—
HJR 48, pages 575, 587, 598, 639

Legislature, creating committee on junior colleges and vocational
trade schools—
HJR 35, page 365

Legislature, creating committee on uniform commercial code—
SJR 19, pages 609, 632, 637

Legislature, creating committee to inform governor of sine die ad-
journment—
SJR 23, page 629

Legislature, creating committee to inform governor that legislature
is in session—
HJR 2, pages 5, 22
SJR 1, page 6

RESOLUTIONS (Continued)

Legislature, creating committee to investigate formation of new county—
HJR 37, page 367

Legislature, creating committee to promote writing and printing of textbooks by Alabamians—
HJR 55, pages 614, 634, 638, 640

Legislature, creating committee to study and advise with state board of corrections—
HJR 52, page 587
SJR 22, pages 623, 633, 637

Legislature, creating committee to study apportionment of—
HJR 6, pages 23, 90, 637

Legislature, designation of parking places for members of—
HJR 23, pages 150, 236, 314, 335

Legislature, joint session to hear address by governor—
HJR 3, pages 6, 22
HJR 14, pages 89, 112

Legislature, payment of dues to national conference of state legislative leaders—
HJR 15, pages 109, 209, 220, 221

Martin, representative W. L. (Doc), mourning death of—
HJR 4, pages 7, 22, 109, 221

“McCluer Chapel,” designation of—
HJR 26, pages 232, 437, 473, 474

Meredith, Katie Sue, extending congratulations to—
HJR 8, pages 84, 90, 208, 221

Mobile bay, battle of, commending Mobile County, the city of Mobile, and the State for their efforts to memorialize—
HJR 10, pages 85, 90, 208, 221

Mullins, Maryon Pittman, extending congratulations on marriage of—
SJR 3, pages 91, 207

Nash, T. R., mourning death of—
HJR 30, pages 295, 436, 473, 474

National broadcasting company criticized for its prejudiced manner—
HJR 54, page 607

Palumbo, Joseph, extending congratulations to—
HJR 40, pages 480, 587, 598, 639

Powers, Vicki, extending congratulations to—
SJR 10, pages 439, 479

Presidential electors, unpledged, urged to cast votes for governor George C. Wallace—
HJR 57, page 630

Robert E. Lee high school band, commended—
HJR 38, pages 372, 438, 473, 474

Roberts, Robert E., commended—
HJR 39, pages 461, 472, 515, 560

RESOLUTIONS (Continued)

- Rutland, Robert Horton, mourning death of—
HJR 19, pages 111, 220, 234, 298
SJR 6, pages 234, 452
- Sanders, governor Carl, invited to address legislature—
HJR 16, pages 110, 209, 220, 221
- Senate notified that house is in session—
HR 1, page 5
- Senators, United States, congress memorialized to establish residential qualifications for—
HJR 42, pages 481, 604, 616, 639
- Sidney Lanier high school drill team and color guard, commended—
SJR 11, pages 437, 479
- Skipperville, naming of school in honor of superintendent George W. Long—
HJR 32, pages 313, 604, 616, 639
- South Brookley little league team, extending congratulations to—
SJR 12, pages 454, 479
- Tucker, Earl Lee, mourning death of—
HJR 29, pages 290, 436, 473, 474
- Vaughn, Linda, extending congratulations to—
SJR 7, pages 235, 452
- Wallace, governor George C., commended—
HJR 7, pages 83, 90
HJR 13, pages 87, 91, 208, 221
HJR 27, pages 232, 437, 473, 474
SJR 17, page 578
- White, Stephen Reese, mourning death of—
HJR 9, pages 85, 90, 208, 221
- Wood, representative J. Emmett, expressing appreciation at recovery of—
HR 31, page 296
- Young, representative Gus Wilson, designated as "Honorary Chaplain of the House of Representatives"—
HR 20, page 112

RETIREMENT SYSTEMS

- Cities 130,000 population or more, class suits against board of trustees of pension system of—
HB 188, pages 107, 210, 283, 527, 564, 590
- Cities 250,000 population or more, contributions and benefits under—
HB 69, pages 48, 101, 195, 450, 508, 558
SB 23, pages 241, 302, 377
- Employees', county engineers included under—
HB 168, pages 83, 94, 295
SB 58, pages 427, 458, 533, 572
- Mobile County, retirement allowance for elected and former elected officials of the county and municipalities within—
HB 291, page 594

REVENUE, STATE DEPARTMENT OF

Calhoun County, city of Anniston, collection and enforcement of
privilege license taxes—
SB 127, pages 334, 338, 465, 479, 621

Mobile County, city of Prichard, collection of sales and use taxes
levied by—
HB 292, page 596

ROBERT E. LEE HIGH SCHOOL BAND

Commended—
HJR 38, pages 372, 438, 473, 474

ROBERTS, ROBERT E.

Commended—
HJR 39, pages 461, 472, 515, 560

RUTLAND, ROBERT HORTON

Mourning death of—
HJR 19, pages 111, 220, 234, 298
SJR 6, pages 234, 452

SALES TAX

Entertainments, exhibitions, and amusements, exemption from—
HB 133, pages 72, 228, 418, 605, 617, 639

Mobile County, city of Prichard, collection of—
HB 292, page 596

Tunnels, exemption of structural steel used in fabrication of—
HB 138, pages 73, 93, 291, 397, 498, 579, 612
SB 93, page 581

SANDERS, GOVERNOR CARL

Invited to address legislature—
HJR 16, pages 110, 209, 220, 221
Message from, page 620

SANITARIANS

Examination, qualifications, and registration of—
HB 156, pages 81, 94, 294, 552, 563, 590

SAVINGS AND LOAN ASSOCIATIONS

Covered under "Alabama Uniform Gifts to Minors Act"—
HB 141, pages 73, 224, 404, 625, 634, 640

SCHOOLS

See also: BOARDS OF EDUCATION; EDUCATION; SUPERIN-
TENDENTS OF EDUCATION; TRADE SCHOOLS

Alabama trade school and junior college authority authorized to is-
sue bonds—
HB 112, pages 68, 92, 280, 476, 505, 560

Attendance of pupils at, regulated—
HB 267, pages 313, 455, 503

SCHOOLS (Continued)

Driver education and training fund, assessing additional penalty in traffic violation cases for—
HB 84, pages 52, 458, 535, 629, 631, 636, 639, 640

Junior colleges and vocational technical schools, creating interim legislative committee on—
HJR 35, page 365

Physical examination of children—
HB 286, pages 460, 480, 581

Private, authorizing tuition grants for pupils attending—
HB 108, pages 67, 96, 164, 330, 394, 474

Southern Union College, appropriation for acquisition and operation of—
HB 24, pages 31, 337, 501, 502
SB 113, pages 425, 459, 501, 571

Textbook survey commission, state, created—
HB 176, page 105

Textbooks, creating commission to purchase and distribute—
HB 175, page 105

Textbooks, free, appropriation for distribution of—
HB 174, page 104

Textbooks, regulating adoption of—
HB 189, page 107

SEARCH WARRANT

Defined—
HB 273, page 340

SECOND JUDICIAL CIRCUIT

Solicitor, expense allowance—
HB 172, pages 104, 337, 502

SECRETARY OF STATE

Succession to office, authorized, CA—
HB 28, pages 31, 92, 280, 395, 498, 612

SELMA, CITY OF

Mayor, compensation—
SB 88, pages 471, 480, 577, 603

SENATE

Adams, senator Charles H., expressing regret on illness of—
SJR 16, pages 557, 573

Adjournment—
HJR 44, pages 549, 558
HJR 53, page 605
SJR 4, page 89

Adjournment sine die—
HJR 56, pages 629, 632
SJR 18, page 575

SENATE (Continued)

Appropriation—

HB 111, pages 68, 92, 118, 148, 300, 335

SB 94, page 220

Clerical assistance after adjournment of—

HJR 48, pages 575, 587, 598, 639

Committee appointed to notify governor that legislature is in session—

HJR 2, pages 5, 22

SJR 1, page 6

Committee on the aging, membership, organization, authority, and appointment of executive officer—

SB 92, pages 424, 459, 537, 556, 572

Committee on uniform commercial code, creating—

SJR 19, pages 609, 632, 637

Committee to inform governor of sine die adjournment, created—

SJR 23, page 629

Committee to make study regarding formation of new county, creation of—

HJR 37, page 367

Committee to study and advise with state board of corrections, created—

HJR 52, page 537

SJR 22, pages 623, 633, 637

Committee to study apportionment, created—

HJR 6, pages 23, 90, 637

Congress memorialized to take certain action relative to apportionment of—

HJR 5, pages 22, 90

HJR 12, pages 86, 90, 208, 221

Governor, joint session to hear address by—

HJR 3, pages 6, 22

HJR 14, pages 89, 112

Journals, printing and binding of—

HJR 47, pages 575, 587, 598, 639

National conference of state legislative leaders, payment of dues to—

HJR 15, pages 109, 209, 220, 221

Parking places for members of, designation of—

HJR 23, pages 150, 236, 314, 335

Reapportionment of—

HB 80, page 52

Reapportionment of, CA—

HB 15, pages 26, 95, 297, 398, 498, 612

HB 16, pages 26, 95, 297, 398, 498, 612

SEVENTEENTH JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, pages 104, 337, 502

SEVENTH JUDICIAL CIRCUIT

- Court reporters, compensation—
HB 248, pages 219, 228, 420
- Judgeship, additional, created—
HB 244, pages 219, 225, 411, 555, 568, 591

SHELBY COUNTY

- Board of equalization, compensation of members—
HB 229, pages 217, 226, 323, 528, 567, 590
- Board of registrars, compensation of members—
HB 228, pages 217, 226, 322, 528, 567, 590
- Jurors, compensation—
HB 227, pages 217, 226, 322, 528, 567, 590
- Sheriff, allowance for uniforms for personnel of—
HB 255, pages 230, 306, 381, 529, 569, 591

SHERIFF

- Counties 21,988 to 22,000 population, compensation of deputy to—
HB 35, pages 34, 210, 271, 526, 562, 590
- Counties 32,000 to 33,000 population, allowance for uniforms for personnel of—
HB 255, pages 230, 306, 381, 529, 569, 591
- Counties 42,000 to 46,000 population, compensation of employees of—
HB 234, pages 218, 227, 324, 535, 567, 590
SB 122, pages 433, 456, 486, 571
- Counties 76,000 to 96,000 population, appointment and compensation of deputies—
HB 245, pages 219, 227, 327, 529, 568, 591
- Counties 96,000 to 106,000 population, compensation—
HB 205, pages 213, 225, 315, 522, 566, 590
- Counties 300,000 to 500,000 population, compensation of deputies and assistants to—
HB 253, pages 229, 306, 423, 534, 568, 591
- Counties 300,000 to 500,000 population, exemption from liability—
HB 117, pages 69, 103, 199
- Counties 300,000 to 500,000 population, uniforms for deputies—
HB 252, pages 229, 306, 378, 529, 568, 591
HB 279, pages 347, 456, 490, 626, 635, 640
- Counties 400,000 population or more, retirement of assistants to—
HB 276, pages 340, 456, 487
SB 150, pages 525, 573, 612, 632
- Counties 600,000 population or more, compensation—
HB 59, pages 45, 101, 190, 442, 513, 559
SB 40, pages 247, 304, 378
- Dale County, allowance for empaneling grand juries—
HB 20, pages 28, 95, 154, 445, 512, 559
- Dale County, appointment and compensation—
HB 21, pages 29, 95, 154

SHERIFF (Continued)

Greene County, authorizing additional deputy—
SB 90, pages 260, 308, 393, 454

Jackson County, employment of criminal investigator—
SB 111, page 330

Jefferson County, Bessemer division, compensation of assistant to—
HB 58, pages 44, 100, 189, 442, 513, 559
SB 39, pages 246, 304, 378

Jefferson County, taxing of witness fee for each deputy sheriff subpoenaed—
HB 75, pages 49, 102, 197, 451, 509, 559
SB 29, pages 242, 303, 378

Mobile County, appointment and compensation of assistants to—
HB 280, pages 349, 457, 491, 628, 635, 640

Mobile County, exemption from liability—
HB 289, page 574

Mobile County, exemption from liability for acts of deputies—
HB 289, page 574

St. Clair County, compensation of deputies—
HB 154, pages 80, 97, 169, 446, 510, 559

"Search warrant," defined—
HB 273, page 340

SIDNEY LANIER HIGH SCHOOL

Drill team and color guard commended—
SJR 11, pages 437, 479

SIXTEENTH JUDICIAL CIRCUIT

Judgeship, additional, created—
HB 206, pages 213, 223, 399

SIXTH JUDICIAL CIRCUIT

Bailiffs, compensation—
HB 124, pages 71, 103, 201, 447, 511, 559, 599, 621, 635, 640

Probation, regulating granting of—
SB 13, pages 255, 307, 386, 452, 583, 602

Solicitor, appointment and compensation of investigator for—
HB 161, page 82

SOLICITOR, CIRCUIT

Counties 600,000 population or more, compensation of solicitor and deputy circuit and assistant deputy circuit solicitors—
HB 53, pages 42, 100, 183, 442, 512, 559
HB 54, pages 42, 100, 184, 449, 507, 558
SB 34, pages 244, 304, 378
SB 35, pages 245, 304, 378

Eighth judicial circuit, regulating expenditures from solicitor's fund—
HB 191, pages 108, 211, 277, 553, 565, 590

Eighth judicial circuit, requisitions on solicitor's fund—
HB 191, pages 108, 211, 277, 553, 565, 590

SOLICITOR, CIRCUIT (Continued)

Judicial circuits composed of one county and having not less than four nor more than nine judges, compensation—
HB 130, pages 71, 104, 204, 448, 506, 558

Judicial circuits composed of one county and having not less than one nor more than four judges, creating positions of administrative assistant and legal stenographer to—
HB 187, pages 106, 227, 329, 534, 564, 590

Judicial circuits composed of three or more counties, expense allowance—
HB 172, pages 104, 337, 502

Sixth judicial circuit, appointment and compensation of investigator for—
HB 161, page 82

SOLICITOR, COUNTY

DeKalb County, office abolished—
SB 85, pages 429, 460, 493, 571

SOLICITOR, DEPUTY

DeKalb County, office created—
SB 85, pages 429, 460, 493, 571

SOUTH BROOKLEY LITTLE LEAGUE TEAM

Extending congratulations to—
SJR 12, pages 454, 479

SOUTHERN UNION COLLEGE

Appropriation for acquisition and operation of—
HB 24, pages 31, 337, 501, 502
SB 113, pages 425, 459, 501, 571

SOVEREIGNTY COMMISSION, STATE

Board of registrars, subject to approval of, authorized to regulate registration of voters—
HB 11, pages 25, 457, 518, 622, 634, 639

ST. CLAIR COUNTY

Elections, providing for use of paper ballots at—
HB 155, pages 81, 97, 169, 447, 510, 559

Sheriff, compensation of deputies—
HB 154, pages 80, 97, 169, 446, 510, 559

STATE LANDS AND PROPERTY

Property, state-owned, regulating sale of—
HB 173, page 104

SULLIGENT, TOWN OF

Boundaries altered—
HB 94, pages 54, 95, 158, 442, 513, 559

SULLIVAN, ULIE B.

Remarks by, page 360

SUPERINTENDENT OF EDUCATION, COUNTY

Counties 13,700 to 14,300 population, compensation—
HB 98, pages 57, 96, 160, 445, 509, 559

Counties 14,500 to 14,900 population, compensation—
HB 165, pages 83, 210, 273, 528, 564, 590

SUPERINTENDENT OF EDUCATION, STATE

Succession to office, authorized, CA—
HB 28, pages 31, 92, 280, 395, 498, 612

SUPERNUMERARY JUDGES

See: JUDGES, SUPERNUMERARY

TALLADEGA COUNTY

Board of registrars, appointment and compensation of clerk—
SB 9, pages 254, 307, 385, 452

Election officials, compensation—
HB 157, pages 82, 97, 170, 446, 510, 559
SB 11, pages 255, 307, 386

Jury commission, compensation of clerk—
SB 8, pages 254, 307, 385, 452

TALLASSEE, CITY OF

Municipal development of, CA—
HB 183, page 106

TAX ASSESSOR

Counties 12,500 to 13,500 population, clerk-hire allowance—
HB 5, pages 24, 95, 153, 451, 509, 559
SB 74, page 259

Counties 22,350 to 24,350 population, clerical assistance—
HB 283, pages 355, 456, 485, 628, 635, 640
SB 154, pages 525, 573, 611, 632

Counties 46,500 to 48,000 population, clerk-hire allowance—
HB 225, pages 217, 306

Counties 76,000 to 96,000 population, compensation—
HB 247, pages 219, 227, 328

Counties 300,000 to 500,000 population, fee provided for program of
tax equalization—
SB 139, page 428

Counties 500,000 population or more, compensation—
HB 62, pages 45, 101, 191, 449, 507, 558
SB 43, pages 248, 304, 378

Pike County, compensation of deputy to—
HB 150, pages 77, 97, 167, 446, 510, 559

TAX COLLECTOR

Counties 12,500 to 13,500 population, clerk-hire allowance—
HB 5, pages 24, 95, 153, 451, 509, 559
SB 74, page 259

TAX COLLECTOR (Continued)

- Counties 22,350 to 24,350 population, clerical assistance—
HB 284, pages 355, 456, 486, 629, 635, 640
SB 153, pages 525, 573, 611, 632
- Counties 46,500 to 48,000 population, clerk-hire allowance—
HB 225, pages 217, 306
- Counties 76,000 to 96,000 population, compensation—
HB 247, pages 219, 227, 328
- Counties 500,000 population or more, compensation—
HB 62, pages 45, 101, 191, 449, 507, 558
SB 43, pages 248, 304, 378
- Pike County, compensation of deputy to—
HB 151, pages 77, 97, 167, 446, 510, 559

TAXATION

- See also: LICENSES; TAX ASSESSOR; TAX COLLECTOR; name of specific tax
- Alabama masonic home, exemption from licenses, taxes, and fees—
HB 264, pages 232, 455, 516, 622, 636, 640
- Beer tax, distribution of proceeds—
HB 113, pages 68, 92, 281, 475, 505, 560
- Counties 400,000 population or more, levy, collection, and enforcement of tobacco tax—
HB 41, pages 37, 98, 174, 441, 514, 560
SB 18, pages 239, 301, 377
- Counties 600,000 population or more, levying tax on liquor—
HB 45, page 38
- Income tax, amount of charitable contributions allowed as deduction under—
SB 55, page 451
HB 82, page 52
- Jefferson County community chest, exemption from certain licenses and taxes—
SB 54, pages 557, 574, 614, 632
HB 83, pages 52, 228, 414, 416
- Lauderdale County, tobacco tax levied—
HB 100, pages 59, 96, 161, 535, 562, 590
- Mobile County, city of Prichard, collection of sales and use taxes levied by—
HB 292, page 596
- Mobile County, levy and collection of ad valorem tax for hospital purposes, CA—
HB 139, pages 73, 104, 206, 267, 535, 569, 591
- Mobile County, levy of license tax and registration fee on motor vehicles—
HB 282, pages 352, 457, 517
- Privilege license tax levied on vending machines selling peanuts and other merchandise at the price of one cent—
HB 218, page 215

TAXATION (Continued)

Sales and use taxes, exemption of structural steel used in fabrication of tunnels—

HB 138, pages 73, 93, 291, 397, 498, 579, 612

SB 93, page 581

Sales tax, exemption of entertainments, exhibitions, and amusements—

HB 133, pages 72, 228, 418, 605, 617, 639

TELEPHONE COMPANIES

Counties 96,000 to 106,000 population, charges for telephone calls within—

HB 272, page 340

TENTH JUDICIAL CIRCUIT

Circuit clerk, deputy, compensation—

HB 63, pages 46, 101, 192, 449, 507, 558

SB 44, pages 248, 304, 378

Judgeship, additional, created—

HB 219, pages 215, 223, 398, 604, 617, 639

TEXTBOOK DEPOSITORY, STATE

Abolished—

HB 175, page 105

TEXTBOOK SURVEY COMMISSION, STATE

Created—

HB 176, page 105

TEXTBOOKS

Adoption of, regulated—

HB 189, page 107

Commission to purchase and distribute, created—

HB 175, page 105

Creating committee to promote writing and printing of, by Alabamians—

HJR 55, pages 614, 634, 638, 640

Free, appropriation for distribution of—

HB 174, page 104

State textbook survey commission, created—

HB 176, page 105

THIRTEENTH JUDICIAL CIRCUIT

Bailiffs, compensation—

HB 124, pages 71, 103, 201, 447, 511, 559, 599, 621, 635, 640

Solicitor, compensation—

HB 130, pages 71, 104, 204, 448, 506, 558

Solicitor, creating positions of administrative assistant and legal stenographer to—

HB 187, pages 106, 227, 329, 534, 564, 590

Solicitors, deputy circuit, appointment and compensation of—

HB 127, pages 71, 103, 203, 448, 512, 559

TILL, JOSEPH H., JR.

Butler County, relief of—
SB 66, pages 258, 308, 389, 453

TOBACCO TAX

Counties 400,000 population or more, levy, collection, and enforcement of—
HB 41, pages 37, 98, 174, 441, 514, 560
SB 18, pages 239, 301, 377

Lauderdale County, levied—
HB 100, pages 59, 96, 161, 535, 562, 590

TOMBIGBEE RIVER

Appropriation, survey of mineral, water, and petroleum resources of counties within basin of—
HB 162, page 82

TRADE SCHOOLS

Alabama trade school and junior college authority authorized to issue bonds—
HB 112, pages 68, 92, 280, 476, 505, 560

Legislative committee on, creating—
HJR 35, page 365

Streets and parking areas on campus of, construction, repair, and maintenance of—
HB 169, page 83

TRAILERS

Four-wheel, two-axle trailers, regulating operation of—
HB 36, pages 35, 94, 294, 397

TREASURER, COUNTY

Counties 600,000 population or more, compensation—
HB 52, pages 42, 100, 182, 449, 507, 558
SB 33, pages 244, 303, 378

Mobile County, appointment and compensation of assistant treasurer—
HB 119, pages 69, 103, 200, 447, 511, 559

TREASURER, STATE

Succession to office, authorized, CA—
HB 28, pages 31, 92, 280, 395, 498, 612

TRINITY, TOWN OF

Boundaries altered—
HB 149, pages 75, 97, 166, 446, 510, 559

TROY, CITY OF

Boundaries altered—
HB 254, pages 229, 306, 380, 529, 569, 591

TUCK, EDWIN A.

Certificate of Election, page 4

TUCKER, EARL LEE

Mourning death of—

HJR 29, pages 290, 436, 473, 474

TUNNELS

Sales and use taxes, exemption of structural steel used in fabrication of—

HB 138, pages 73, 93, 291, 397, 498, 579, 612

SB 93, page 581

TUSCALOOSA COUNTY

Child care institutions, regulating operation of—

HB 196, pages 109, 211, 278, 527, 565, 590

HB 214, pages 214, 226, 319, 534, 566, 590

Circuit court, granting of probation in—

SB 13, pages 255, 307, 386, 452, 583, 602

Conditional sales contracts, recordation of—

HB 143, pages 74, 224, 403

SB 77, pages 427, 458, 532, 572

Fishing regulated—

HB 194, pages 109, 211, 277, 527, 565, 590

Voters, reidentification of—

HB 195, pages 109, 211, 278, 521, 565, 590

TWELFTH JUDICIAL CIRCUIT

Judgeship, additional, created—

HB 17, pages 27, 92, 284, 550, 561, 590

SB 72, pages 427, 458

TWENTY-FIRST JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, pages 104, 337, 502

TWENTY-FOURTH JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, pages 104, 337, 502

TWENTY-NINTH JUDICIAL CIRCUIT

Bailiffs, appointment and compensation—

HB 158, pages 82, 97, 171, 446, 510, 559

SB 10, pages 255, 307, 386

TWENTY-SEVENTH JUDICIAL CIRCUIT

Board of registrars, office space, supplies, and clerical assistance—

HB 268, pages 313, 338, 463

SB 148, pages 555, 573, 610, 632

Judges, compensation—

HB 226, pages 217, 226, 321, 586, 598, 639

Register, compensation—

SB 112, pages 331, 593

TWENTY-THIRD JUDICIAL CIRCUIT

Bailiffs, compensation—

HB 124, pages 71, 103, 201, 447, 511, 559, 599, 621, 635, 640

TWENTY-THIRD JUDICIAL CIRCUIT (Continued)

Judges, compensation—
HB 108, pages 67, 96, 164, 330, 394, 474

USS ALABAMA BATTLESHIP

American legion commended for efforts on behalf of enshrinement
of—
SJR 20, pages 578, 603

USS ALABAMA BATTLESHIP COMMISSION

County appropriations to, authorized—
HB 134, pages 72, 224, 404, 603, 617, 639

UNIFORM COMMERCIAL CODE

Committee on, creating—
SJR 19, pages 609, 632, 637

UNIVERSITY OF ALABAMA

Law department, method of becoming member of state bar—
HB 237, pages 218, 300, 422

USE TAX

Mobile County, city of Prichard, collection of—
HB 292, page 596

Tunnels, exemption of structural steel used in fabrication of—
HB 138, pages 73, 93, 291, 397, 498, 579, 612
SB 93, page 581

VAUGHN, LINDA

Extending congratulations to—
SJR 7, pages 235, 452

VENDING MACHINES

Privilege license tax levied on machines selling peanuts and other
merchandise at the price of one cent—
HB 218, page 215

VETERANS OF FOREIGN WARS

Palumbo, Joseph, congratulated for leadership in—
HJR 40, pages 480, 587, 598, 639

VOCATIONAL EDUCATION

See: TRADE SCHOOLS

VOTERS

Absentee voting by persons in national guard and other reserve com-
ponents—
HB 212, page 214
HB 236, pages 218, 228, 417, 556, 567, 590

Board of registrars, county governing body authorized to furnish
clerical assistance and certain supplies and services to—
HB 12, page 25

Board of registrars, subject to approval of state sovereignty com-
mission, authorized to regulate registration of—
HB 11, pages 25, 457, 518, 622, 634, 639

VOTERS (Continued)

Counties 26,000 to 27,000 population, meetings, supplies, and clerical assistance for board of registrars—
SB 147, pages 525, 593

Counties 31,500 to 33,500 population, compensation of members of board of registrars—
HB 228, pages 217, 226, 322, 528, 567, 590

Counties 38,000 to 45,000 population, compensation of members of board of registrars—
SB 137, pages 433, 460, 495, 571

Counties 48,500 to 49,500 population, compensation of members of board of registrars—
HB 271, pages 339, 455, 484, 625, 634, 640

Counties 96,000 to 106,000 population, meetings of board of registrars—
HB 203, pages 213, 225, 315, 531, 566, 590

Counties 100,000 to 115,000 population, reidentification of—
HB 195, pages 109, 211, 278, 521, 565, 590

Counties 150,000 to 300,000 population, compensation of members of board of registrars—
HB 232, pages 218, 226, 323, 375, 528, 567, 590

Counties 150,000 to 300,000 population, meetings of board of registrars—
HB 202, pages 213, 339, 468, 534, 566, 590

Counties 400,000 population or more, meetings of board of registrars—
HB 43, pages 37, 99, 176, 447, 511, 559
SB 52, pages 252, 305, 378

Judicial circuit composed of one county less than 500,000 population and having two courthouses where circuit court is required to be held, office space, supplies and clerical assistance for board of registrars—
HB 268, pages 313, 338, 463
SB 148, pages 555, 573, 610, 632

VOTING

Absentee, by persons in national guard and other reserve components—
HB 212, page 214
HB 236, pages 218, 228, 417, 556, 567, 590

WALKER COUNTY

Election officials, compensation—
SB 129, pages 334, 339, 468, 479

Jasper, city of, compensation of judge of county court established for precincts with—
SB 15, pages 255, 307, 387, 453

Jurors, compensation—
SB 128, pages 334, 339, 467, 472, 479

WATER IMPROVEMENT COMMISSION

Fisheries industry represented on—
HB 287, page 480

WATERWAYS

Alabama, Mobile, and Tombigbee river basins, appropriation for survey of mineral, water, and petroleum resources of—
HB 162, page 82

WHITE HOUSE ASSOCIATION

Appropriation—
SB 78, pages 426, 459, 536, 572

WHITE, STEPHEN REESE

Mourning death of—
HJR 9, pages 85, 90, 208, 221

WILLIAMS, WILLIE B.

Madison County, relief of—
SB 104, pages 331, 338, 495, 571

WILLS AND ADMINISTRATION

Children, appointment of mother or father as guardian—
HB 210, pages 214, 458, 532, 622, 634, 639

Estates, regulating settlement of estates by consent without notice—
HB 179, page 105
HB 185, pages 106, 223, 403

WINSTON COUNTY

Board of education, election and compensation of members—
HB 167, pages 83, 210, 274

Board of revenue, expense allowance for members of—
HB 163, pages 82, 210, 272, 527, 564, 590

Coroner, compensation—
HB 164, pages 82, 210, 273, 528, 564, 590

County offices, filling vacancies in—
HB 166, pages 83, 210, 274

Superintendent of education, compensation—
HB 165, pages 83, 210, 273, 528, 564, 590

WITNESSES

Jefferson County, taxing of witness fee for each deputy sheriff subpoenaed—
HB 75, pages 49, 102, 197, 451, 509, 559
SB 29, pages 242, 303, 378

Testimony to be used in suits pending in foreign jurisdiction, procurement of—
HB 239, page 218

WOOD, REPRESENTATIVE J. EMMETT

Expressing appreciation at recovery of—
HR 31, page 296

YOUNG, REPRESENTATIVE GUS WILSON

Designated as "Honorary Chaplain of the House of Representatives"—
HR 20, page 112

ZONING

Municipal zoning ordinances, validating publication of—
HB 91, pages 53, 93, 292, 604, 616, 639

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY
SESSION OF 1964

HELD IN THE CITY OF MONTGOMERY COMMENCING
MONDAY, SEPTEMBER 21, 1964



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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**JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY
SESSION OF 1964**

FIRST DAY

House of Representatives
Montgomery, Alabama
Monday, September 21, 1964

Be it remembered that on the 17th day of September, 1964, His Excellency, George C. Wallace, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

**A PROCLAMATION
BY THE
GOVERNOR**

WHEREAS, there now exists in our nation a constitutional crisis which threatens the very concept of our governmental structure; and

WHEREAS, the Tenth Amendment to the Constitution of the United States, which said Amendment reserves to the States or the people those powers not delegated to the United States by the Constitution, is being effectively nullified and declared to be of no force and effect without the sanction of the Constitution itself; and

WHEREAS, federal control of local school systems is the manifestation of this trend toward destruction of the basic precepts of the Constitution of the United States; and

WHEREAS, the Legislature and Governor of the State of Alabama have a duty and obligation to the citizens of this State and nation to initiate such procedures and to take such action as will assure that the rights of local citizens of individual states to have sole and exclusive jurisdiction of their public school systems be held inviolate; and

WHEREAS, there exists this extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama:

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the seat of Government at the State Capitol in Montgomery, Alabama, at six o'clock P.M., September 21, 1964, and I hereby designate the following subject and matter to be considered and acted upon by said Legislature in extraordinary session assembled:

1. To initiate action under the provisions of Article V of the Constitution of the United States to enable the State of Alabama and its people and the people of each of the separate states to have sole and exclusive jurisdiction of the public school systems of their separate states, all in accordance with the original and basic precepts of the Constitution.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and caused the Secretary of State to attest this proclamation, at the Capitol, in the City of Montgomery, on the 17th day of September, 1964.

GEORGE C. WALLACE,
Governor.

ATTEST:

MRS. AGNES BAGGETT,
Secretary of State.

In pursuance whereof, at the hour of 6:00 P.M., on Monday the 21st day of September, 1964, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

The House was called to order by Honorable Albert P. Brewer, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by the Reverend John E. Vickers, Minister, Saint James Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Carr	Grouby	Pennington
Albea	Casey	Hain	Perry
Avery	Cates	Hankins	Pierce
Bailes	Collins	Hannah	Posey
Baker (DeKalb)	Cook	Harper	Powell
Baker (Madison)	Cooper	Hawkins	Pruitt
Barnett	Cornett	Heflin	Rast
Bassett	Crawford	Hester	Rogers
Bethea (B)	Daniel	Hogan	Salter
Bethea (M)	Davis	Holladay	Scurluck
Bevill	Doggett	Ingram	Sessions
Blanton	Dominick	Jones (Covington)	Smith
Bolton	Downing	Little	Snell
Boston	Drake	Locke	Steagall
Bowers	Edgington	McCorquodale	Stembridge
Branyon	Edwards (Escambia)	McDermott	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Teel
Brown (Tuscaloosa)	Engel	Meade	Thomas
Burnham	Etheredge	Meeke	Tuck
Burns	Fields	Moore	Turner (Crenshaw)
Callahan	Fite	Nabors	Turner (Limestone)
Camp	Gilmore	NeSmith	Turnham
Campbell (Jackson)	Glass	Nettles	Vacca
Campbell (Tuscaloosa)	Goldthwaite	Owens	Young
Cantrell	Goodwyn	Paulk	

A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Smith leave of absence was granted to Mr. Wood because of personal illness.

On motion of Mr. Nettles leave of absence was granted to Mr. Jones (Monroe).

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed to advise the House that the Senate is now in session and is ready for the transaction of public business.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Fite:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Fite the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Fite:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

On motion of Mr. Fite the rules were suspended and H. J. R. 2 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Thomas, Engel and Rast.

Also:

By Mr. Fite:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate be held at 6:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House to be named by the Speaker of the House and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the pur-

pose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. Fite the rules were suspended and H. J. R. 3 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Turner (Crenshaw), Goodwyn and Merrill.

Mr. Merrill being out of the House Chamber at the time, the Speaker appointed Mr. Avery to substitute for Mr. Merrill.

Also:

By Mr. Fite:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Journals and Acts of this Second Extraordinary Session of both the House and Senate, be bound with the Journals and Acts of the First Extraordinary Session of the Alabama Legislature of 1964.

On motion of Mr. Fite the rules were suspended and H. J. R. 4 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Appointing joint committee to notify His Excellency, the Governor, that the Legislature is now in Session.

And the President and Presiding Officer of the Senate has named as Committee on part of the Senate Messrs. Mathews and Nichols.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 3. Appointing a joint committee to escort the Governor to the House Chamber for the purpose of a joint session.

And the President and Presiding Officer of the Senate has named as Committee on part of the Senate Messrs. Mathews and Nichols.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 4. Relative to binding the Journals and Acts of the First Special Session with the Journals and Acts of the Second Special Session.

McDOWELL LEE,
Secretary.

JOINT SESSION

The hour of 6:30 o'clock P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the **Hall of the House of Representatives, in accordance with House Joint Resolution No. 3** heretofore adopted, for the purpose of hearing an address by the Honorable George C. Wallace, Governor of the State of Alabama.

The joint session was called to order by the Honorable James B. Allen, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, George C. Wallace, Governor of the State of Alabama, appeared before the joint session and delivered the following message:

Thank you, Lieutenant Governor Allen, Mr. Speaker—Albert Brewer, members of the Senate and House of Representatives, ladies and gentlemen.

You have been called into an extraordinary session of the Legislature for a purpose which is both extraordinary and compelling.

It is my solemn judgment that neither you nor I will ever again be called upon to face a more menacing threat to our system of constitutional government than exists today by reason of the still unchallenged assertions of power in the federal government over questions relating to the operation, management, and control of local public schools throughout the United States.

Something must be done. It is not enough to say we'll let the situation rock along for a while and hope for the best. Nor can we afford to wait for somebody else to take the lead. Nor is it enough merely to talk about the situation and to pass resolutions. Nothing will be accomplished by merely getting together and shouting "Aye" to a collective request that the Congress please take some action.

We must act. We must act affirmatively in an area that offers some hope for help in warding off the threat.

If we are satisfied that the danger is real and imminent, all that is required of us is to summon up a determination to oppose it and the courage to act—not next month, not next year, not at the next session of the Alabama Legislature, but now.

That's why I have called you together at this time. The threat is real—it is not exaggerated. We have available a course of action. It is our moral duty to try anything and everything to prevent the total take-over of public schools by the federal government.

Now, let me make this clear. There are those who will say that it is futile for us to oppose this take-over of our schools by the federal government. They will say nothing will be accomplished by it. They will point out that others have made abortive efforts and have failed. They will urge us to sit by and cooperate with the inevitable.

This is the language of the defeatist. It is the psychological conditioning preceding enslavement of the human will and a necessary condition of human bondage to an all-powerful government. It is Eastern in its origin, it is Russian and communistic in its application. It is foreign to our American tradition and foreign to the character of our people who cherish liberty and individual freedom.

I don't buy it! You won't buy it. We reject it as an attitude beneath the dignity of freedom-loving people.

I tell you that total federal control of our public school system is not inevitable and that to fight it is not futile.

The defense of basic principles of human freedom is never futile.

We in the South are not a people who believe in futility. Our section of the Nation has triumphed over futility time and time again. We have triumphed over devastation and waste of our resources and over the subjugation of our people to federal force. The willingness to fight against what may appear to be overwhelming odds is a part of the strength of our character. Triumph over futility is a part of our proud heritage and it is not a time to turn our back on our heritage out of fear of what may appear to be immense odds against us.

I shall not labor you with the multiple examples of federal control over local schools. You are aware of them. I do want to point out, however, that there is an accelerated trend on the part of the federal government to initiate programs which completely bypass the parents and the states in the matter of public school education. As you know, there are a dozen or more separate educational programs sponsored by the federal government which deal directly with institutions of higher education. In some of these programs the state is not even consulted as to its wishes, its desires, its ideas on the subject, or how the federal program will fit into the overall educational objectives of the state.

But the point I make here is that federal school legislation enacted without consultation with the separate state governments and without any idea, apparently, of the educational objectives and priorities in the separate states frequently duplicates effort and is wasteful. For example, in Alabama there is nothing more important in the achievement of our program for increasing the employability and earning capacity of the masses of our people than our junior colleges and technical school programs. Federal programs which bypass our advice and disregard our wishes are bad.

All suffer when the federal government acts independently of state educational objectives and goes so far as to authorize contracts with private agencies in this area of local governmental concern.

As I have said, I mention this only as indicative of a trend and the arrogant attitude on the part of non-elected federal officials who are charged with the responsibility of administering and implementing the provisions of what are sometimes hopped-up federal programs, adopted by the Congress on the basis of political rather than educational criteria.

But this is a minor problem in comparison with other trends toward federal control of education of a more menacing nature. For example, the Executive Department of the federal government, operating through the Department of Health, Education, and Welfare has asserted the power to supervise and, therefore, the power to control local school boards in the matter of hiring and firing of teachers and administrative personnel.

The President of the United States may go so far as to order the Attorney General to enter suit against any or all local school boards of education to compel them to adopt policies contrary to the judgment of the members of local boards on questions relating to the general welfare of the children of the separate school districts throughout the United States.

In addition, the State Department and the Department of Education has a long record of success in influencing the content of our textbooks. Their efforts are well documented, their success is everywhere to be

seen in the general ignorance of the basic concept of freedom upon which the survival of the Nation depends.

It is not a question as to whether we agree or disagree with the **views expressed in the textbooks prescribed by agencies of the federal government.** The question is whether or not the federal government has the power to prescribe in this area.

Are we to disregard the lessons of history which teach that the first step in perpetuating dictatorial power is to control the schools and thus the youth of our Nation?

I need not remind you of the extent to which the federal courts have asserted power of control over public schools as well as all other local institutions throughout the Nation.

While the Congress debated its constitutional power to exercise supervision over the operation of local schools, which is inevitable with federal appropriations, the United States Supreme Court with one fell swoop asserted power in the court to utilize the public school systems of this Nation as an instrument of social reform.

Along with the power to initiate and effect social reforms, the United States Supreme Court asserted hundreds of additional powers of regulation and control over local schools necessary to implement the decreed social reform.

Loyalty oaths as a requirement or qualification for school teachers have been overruled by the Supreme Court time and again on the flimsy ground that the language of the oath is too obscure.

The United States Supreme Court has ruled that a voluntary recitation of an invocation in the public schools is unconstitutional and illegal.

They assert the power to supervise the expenditure of local public funds to the extent of approving budgets, to the extent of determining when and where new schools may be constructed and when and where additions and betterments may be added to local schools.

They assert the power to determine where school attendance boundaries may be drawn and to revamp and reshape attendance districts.

We have federal decrees which declare that "de facto" or purely residential school makeup is unconstitutional and that it must be abolished by redrawing school district boundaries and by busing school children from one school district to another.

We have federal judicial decrees which not only require local school boards to bus children from one neighborhood school to another but from one neighborhood school in one city to another neighborhood school in an entirely different city.

We have witnessed federal courts exercise their own judgment as to proper disciplinary matters in local public schools and suspend uniform qualifications for enrollment in institutions of higher learning.

The federal courts have asserted the power to require the levy of local taxes for public school purposes and to determine the manner in which such tax revenues may be spent by the local community.

One federal district court has even gone so far as to assert the power to approve or disapprove the curricula adopted by local public schools.

The courts assert the power to supervise the hiring and firing and promotion of teachers and administrative personnel and to approve the budget for the operation of local schools.

In every single exercise of judicial control over local schools the federal courts assert within themselves the power to overrule and override the wishes and the best judgment of local school officials and parents of the children concerned.

The effect is to divorce the parent and the state from any voice in the matter of determination of local school policies affecting the general welfare of school children in the separate communities throughout the several states.

Such rulings repudiate and make a hollow mockery of the concept of local control of local schools by locally elected school officials.

But, as revolutionary as these powers are and as foreign as they are to the concept of local government and individual freedom in matters concerning the welfare of children, nothing is more foreign or more tyrannical than the legal device used by the federal courts to force their will upon a reluctant and helpless people.

The use of the "mandatory injunction" as an instrument to effect social reform is a potent example of the repressive and regressive nature of much of the liberal philosophy today. The mandatory injunction is a legal device by which every guarantee of human freedom in the American Constitution and Bill of Rights may be suspended in the sole judgment and discretion of a single judge.

The federal judiciary has molded this legal device into a weapon of coercion by which it may and has suspended the freedoms of speech, of assembly, of the press, and under dire threat of trial without jury and fine and imprisonment have clobbered the rights of American people to regulate and control their own local schools.

If the use of the mandatory injunction had been approved by the British jurists in 1776, there would never have been a Declaration of Independence and an American Constitution and Bill of Rights.

Washington, Adams, Jefferson, Madison, Monroe, and all the rest of our patriot forefathers would have been enjoined from assembly and the freedom of debate on the issues of liberty. Under threat of trial without jury and fine and imprisonment these patriots would have been removed from the scene.

This injunctive device is the principal weapon of the federal judiciary in effecting its usurpation of powers.

This is a situation which cannot be tolerated in a free country. In a society of free men it is impossible to conceive that the federal government shall have the power to regulate, control, and manage local schools.

Yet, the control already exercised by the federal government in Washington is but a beginning. Surely there are none who believe that the liberal philosophy which dominates thinking in Washington today will be satisfied with anything short of total and complete control of all education in the United States. You can find this goal espoused by the liberals in their books and other writings. You can find it in their speeches. They make no secret about it. The United States Supreme Court and Federal District Courts have made no secret about it. The only question remaining is—are we going to accept it or is there anything we can do about it?

There is something we can do about it. The people are sovereign, not the government. It is people who grant powers to government and it is people who take powers away from government. The method is by constitutional amendment initiated by the states. It has never been

used before. We have had this method in mind for a long time. It has been discussed frequently. Only recently, at the National Governors' Conference, General Eisenhower mentioned this method as a means of curbing the run-away powers in the federal government.

In the resolution to be submitted to you, I propose to amend Article X of the Amendments of the United States Constitution by adding a proviso thereto as follows:

I quote, "Among the rights reserved to the states shall be the right to sole and exclusive jurisdiction of public school systems in the separate states, and all rights, privileges and immunities of citizens of the separate states, as they relate to public school education, shall be determined solely by state courts. This Constitution shall not be construed in a manner to empower the President of the United States, the Congress or the federal judiciary to disparage or nullify this inherent right in the states."

There are three objectives in the proposed amendment:

1. To reaffirm the fact that the people of this Nation have never granted power to the federal government to operate, manage and control local public schools.

2. That state courts and not federal courts shall have jurisdiction respecting all rights, privileges, and immunities of citizens as they relate to local public schools, and

3. To reaffirm the limitation on the power of the federal courts to "construe" the Constitution in a manner to disparage or to nullify the rights of the people to local self-government including the right to control the operation and management of local schools.

Let me touch briefly upon the reasons why this method of amending the Constitution is there today and why it is important to us.

Our forefathers never lost sight of the fact that the power of government is the power to coerce. Therefore, neither the President nor the Congress nor the Supreme Court of the United States has any power which is not specifically delegated to them by the people in the Constitution of the United States.

Those wise statesmen who formulated the Constitution were very much concerned that the federal government might one day assume power to coerce which was not delegated to it.

Despite ingenious provisions in the Constitution for the distribution of powers between the separate branches and despite specific limitations placed upon the powers of the federal government in the American Bill of Rights, it was still considered wise to affirm the principle that the source of all governmental power must remain in the people.

This was accomplished by providing two separate and distinct methods of amending the Constitution so that the people could pass upon questions relating to the power of the federal government to coerce.

First, Congress may initiate amendments whenever two-thirds of both houses consider it necessary.

Secondly, the states may initiate amendments when two-thirds of the state legislatures consider an amendment necessary.

In the first case, Congress may or may not propose an amendment, in its own discretion.

In this second case, Congress is required to call a constitutional convention for considering amendments. The language of the Constitu-

tion is mandatory. The Congress "shall call a convention" for proposing amendments.

Such amendments, in either case, shall be valid as a part of the United States Constitution when ratified by the legislature or by conventions of three-fourths of the states as one or the other mode of ratification may be proposed by the Congress.

The convention contemplated by Article V of the United States Constitution is a national convention. The Congress would, of course, prescribe the time and place for holding such convention. It would also fix the number of delegates from the separate states to attend such a convention. A constitutional convention held by the several states is, in some instances, as in Alabama, endowed with plenary powers and cannot be restricted to one single subject for consideration. This is not the case under the United States Constitution. The federal Constitution provides that conventions shall be held for the purpose of considering amendments to the Constitution. There is no provision for rewriting the Constitution. In our judgment, only those amendments submitted by the state legislatures to the Congress for consideration by the convention could be properly brought before it. Such amendments as might be adopted at a constitutional convention would, of course, be submitted to the separate states for ratification. The mode of ratification would be prescribed by the Congress. It may be either by the state legislatures or by state conventions in three-fourths of the states.

It is true that, heretofore, all amendments to the Constitution have been proposed by Congress. However, our forefathers acted wisely in providing an alternative method. They could foresee a situation where one-third of the members of either house could prevent the submission of a constitutional amendment to the people. We may have reached that point now. We have seen Congress literally sit on petitions and memorials from the separate states asking Congress to submit an amendment relating to the Supreme Court prayer decision.

We have also seen Congress refuse to submit an amendment relating to the power in the people to allocate the legislative power of their own state governments. It is possible for thirty-four liberal senators to prevent action by Congress to submit to the people any amendment whatsoever. Under the circumstances we can see that the provision of the Constitution authorizing the state legislatures to initiate amendments was both wise and prudent. Otherwise, there would be absolutely no check by the people upon the powers of the federal government.

The importance of the convention method of amending the Constitution can be further illustrated in the light of population trends in the Nation.

For example, in the first Congress one representative represented not more than 30,000 people. Today, one representative represents on an average of 415,000 people. The trend is ever upward with each succeeding census. Consequently, the people are losing control of Congress just at a time when powers become more and more centralized in the federal government and at a time when federal government encroaches more and more into areas of our private lives, even upon matters of our customs, traditions, and beliefs. Thus, as the government grows more powerful, the people are at the same time losing their own power to influence the Congress. It has produced a situation where the bloc vote has a maximum political value and the individual vote has less and less value in influencing individual Congressmen.

As already pointed out, one-third of the members of the Senate of the United States or not more than thirty-four senators can effectively deny to the people of this Nation the right to amend their Constitution,

either to take away or grant additional powers to the federal government.

If this trend is projected into the future, ten to twenty years, we come to realize the importance of the election of conservatives to Congress. We have witnessed liberal administrations utilize their political power and influence to get liberal senators elected to Congress.

The liberal objective is, of course, to get thirty-four liberal senators in a position of power to veto any desire of a majority of the Congress to submit proposed amendments to the Constitution designed to limit the power of the federal government.

They are well on the way to this objective.

The only recourse we have left to preserve our freedom is for the states to compel the Congress to call a constitutional convention to consider amendments.

We have this in our favor. Concern for the protection of our local school systems from federal domination is not regional. It is not sectional, nor is it a racial question. It is not a matter of civil rights, it is not a matter of national defense, it is instead a matter of preserving independent local schools which are dear to the hearts of our people and upon which the survival of individual freedom depends.

The national concern on this question is evident all over the United States. On my recent speaking tour I was warmly received by the people and my pledge to fight for the return of our schools to local control struck responsive chords.

In Indiana and Wisconsin I told them that local people knew a lot more about how to run their schools than a bunch of social engineers in Washington.

They agree wholeheartedly. That's what we believe. People all over this Nation know this to be true.

In this connection, do not forget this fact. Just as the power to tax is the power to destroy, so also is the power of control over local schools the power to shape the minds and hearts of our children. Certainly, our children can be educated to believe in a totalitarian form of government. Certainly, they can be influenced to accept the materialistic atheistic concept of life. The necessary agency for the transformation of our children into wards of the state is the public schools of this Nation. We cannot, we must not, permit that to come to pass. People throughout the Nation are aware as never before of the totalitarian implications of federal control of education.

We, as parents, are not ready to surrender the absolute right to pass upon the qualifications of teachers of our children. We are not ready to surrender our local educational institutions to federal control and domination.

Already, the federal government has denied us the freedom of association—they prescribe involuntary servitude in private areas of our lives, they are chipping away at the concept of private property. We are destined for peonage, or worse—absolute bondage to an all-powerful central government—unless we can halt the march and reverse the trend of more and more power concentrated in Washington, D. C.

Did a people ever have a cause more deserving and worthy of our fight than that of the right of parents of the separate communities in this Nation to protect the minds of their children from the poisonous influence of foreign ideologies.

It is time we take the offensive. We have the "cause". It is the cause of right.

Tonight, I ask you to join with me in launching a crusade. A crusade to reassert the traditional constitutional right of the American people to control their local school systems.

The resolution I ask you to enact tonight will constitute a first step—the first shot—in a battle to preserve the most democratic institutions on earth, local public schools, which were founded on the concept of local control by locally elected school officials.

We are going to take this crusade across this country. We are going to enlist the aid of business and professional organizations, educators and ministers, civic clubs and patriotic organizations, labor unions and farmers. I am going to ask the news media to help, the editors of our newspapers, radio and television stations, magazine editors and all who can help marshal public support in a vast education program. I am going to solicit the help of the Southern governors at the Southern Governors' Conference. I am going to ask candidates for political office to run on a platform of Home Rule and States' Rights. I am going to call on our representatives in Congress to help. We shall use every resource and power at our command.

We must restore this Nation to a course of progress within the framework of our constitutional system. Home Rule must not be crushed under the heel of federal rule. Liberty and freedom are at stake. We shall remain free or we shall be bondsmen to the state.

We have a choice. But, having chosen, we must work at it. I promise my utmost energies to the cause. I urge you to join me in the fight.

I am grateful that you have responded to the call for this extraordinary session. I shall be appreciative if you will elect to adjourn following consideration of the resolution I bring before you.

Thank you very much.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

RESOLUTION

The following resolution was introduced:

By Messrs. Fite, Brewer, Cantrell, Goodwyn, Downing, Bevill, Turnham, Rogers, Turner (Crenshaw), Etheredge, Collins, McCorquodale, Moore, Powell, Meade, Camp, Meeks, Holladay, Scurlock, Stenbridge, Jones (Covington), Bassett, Salter, Young, Baker (Madison), Callahan, Gilmore, Sullivan, Paulk, Thomas, Bowers, Nettles, Edwards (Lowndes), Cornett, Fields, Hain, Cook, Hannah, Vacca, Turner (Limestone), Grouby, Burnham, Little, Branyon, Blanton, Bethea (M), Bales, Campbell (Tuscaloosa), Hogan, Goldthwaite, Bolton, Snell, Barnett, Perry, Hawkins, Locke, Hester, Pennington, Owens, Teel, McDermott, Steagall, Glass, Edington, Sessions, Edwards (Escambia), Brown (Tuscaloosa), Boston, Daniel, Engel, NeSmith, Harper, Carr, Albea, Bethea (B), Casey, Ingram, Pierce, Smith, Dominick, Brown (Jefferson), Crawford, Hankins, Posey, Mashburn and Doggett:

H. J. R. 5. The Alabama Legislature, in extraordinary session assembled, most respectfully represent that there is an urgent necessity

for clarification and settlement by law of questions relating to the powers and rights reserved in the people and the several states under Article X of the Amendments of the United States Constitution as such powers and rights relate to the operation, management and control of public schools in the several states; now therefore be it

RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we hereby petition the Congress, under authority of Article V of the United States Constitution to call a convention, as therein provided, to propose an Amendment to Article X of the Amendments to the United States Constitution by adding a proviso thereto as follows:

"Among the rights reserved to the states shall be the right to sole, and exclusive jurisdiction of public school systems in the separate states, and all rights, privileges and immunities of citizens of the separate states, as they relate to public school education, shall be determined solely by state courts. This Constitution shall not be construed in a manner to empower the President of the United States, the Congress or the Federal Judiciary to disparage or nullify this inherent right in the states."

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to the presiding officers of the separate Houses of the Legislature of the several states and to the Governors of the several states and to the members of the Alabama delegation in the Congress.

On motion of Mr. Fite the rules were suspended and H. J. R. 5 was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Carr	Grouby	Paulk
Albea	Casey	Hain	Pennington
Avery	Cates	Hankins	Perry
Bailes	Collins	Hannah	Pierce
Baker (DeKalb)	Cook	Harper	Posey
Baker (Madison)	Cooper	Hawkins	Powell
Barnett	Cornett	Heflin	Pruitt
Bassett	Crawford	Hester	Rast
Bethea (B)	Daniel	Hogan	Rogers
Bethea (M)	Davis	Holladay	Salter
Bevill	Doggett	Ingram	Scurlock
Blanton	Dominick	Jones (Covington)	Sessions
Bolton	Downing	Little	Smith
Boston	Drake	Locke	Snell
Bowers	Edington	McCorquodale	Steagall
Branyon	Edwards (Escambia)	McDermott	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Teel
Brown (Tuscaloosa)	Engel	Meade	Thomas
Burnham	Etheredge	Meeks	Tuck
Burns	Fields	Moore	Turner (Crenshaw)
Callahan	Fite	Nabors	Turner (Limestone)
Camp	Gilmore	NeSmith	Turnham
Campbell (Jackson)	Glass	Nettles	Vacca
Campbell (Tuscaloosa)	Goldthwaite	Owens	Young
Cantrell	Goodwyn		

UNANIMOUS CONSENT GRANTED

Mr. Stembridge requested unanimous consent that the record show that he was temporarily away from his desk when the resolution, H. J. R. 5, was up for adoption. He requested that the Journal show that had he voted he would have voted "yea" on the adoption of the resolution, H. J. R. 5, and unanimous consent was granted.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Brewer, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. J. R. 6. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two houses adjourn today they adjourn Sine Die.

And H. J. R. 6 was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Collins	Grouby	Paulk
Albea	Cook	Hain	Perry
Avery	Cooper	Hankins	Pierce
Bailes	Cornett	Hannah	Posey
Baker (DeKalb)	Crawford	Harper	Powell
Baker (Mauclous)	Daniel	Hawkins	Rast
Barnett	Davis	Heflin	Rogers
Bassett	Doggett	Hester	Salter
Bethea (B)	Dominick	Hogan	Scurlock
Bethca (M)	Downing	Holladay	Sessions
Bevill	Drake	Ingram	Smith
Boston	Edington	Jones (Covington)	Snell
Bowers	Edwards (Escambia)	Locke	Steagall
Branyon	Edwards (Lowndes)	McCorquodale	Sullivan
Brown (Jefferson)	Engel	McDermott	Teel
Burnham	Etheredge	Meade	Thomas
Burns	Fields	Meeks	Tuck
Callahan	Fite	Moore	Turner (Crenshaw)
Campbell (Jackson)	Gilmore	Nabors	Turner (Limestone)
Cantrell	Glass	NeSmith	Turnham
Carr	Goldthwaite	Nettles	Vacca
Casey	Goodwyn	Owens	Young
Cates			

—89

UNANIMOUS CONSENTS GRANTED

Messrs. Pruitt and Bolton requested unanimous consent that the record show that they were temporarily away from their desks when the resolution, H. J. R. 6, was up for adoption. They requested that the Journal show that had they voted they would have voted "yea" on the adoption of the resolution, H. J. R. 6, and unanimous consent was granted.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Camp and Bolton:

H. J. R. 7. WHEREAS the Alabama Institute for Deaf and Blind, which is devoted to the purpose of educating an important though lim-

ited segment of this State's population, has long been recognized for its outstanding services and record of accomplishments within its field of operation; and

WHEREAS the value of educating the students of this Institute to be self-reliant and self-sustaining both from the standpoint of humanitarian and economic reasons is unquestioned; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Board of Education is respectfully requested to cause to be made a study to determine the need and feasibility of establishing a trade school to be operated in conjunction with the Alabama Institute for Deaf and Blind at Talladega.

BE IT FURTHER RESOLVED, That if such need and feasibility be found to exist, it is the sense of this body that the funds needed for such purpose should be allotted from the proceeds of bonds sold by the Alabama Trade School and Junior College Authority.

On motion of Mr. Camp the rules were suspended and H. J. R. 7 was adopted.

Also:

By Messrs. Rast, Sessions, Etheredge, Collins, Hawkins, Perry, Brown (Jefferson), Locke, Meeks, Bethea (M), Bowers, Dominick, Vacca, Gilmore, Bethea (B), Bailes and Morrow:

H. J. R. 8. WHEREAS, this season's football schedule for Legion Field in Birmingham includes such outstanding contests as the Alabama-Vandy, the Alabama-LSU., the Auburn-Tennessee, the Auburn-Georgia Tech and the Auburn-Alabama games; and

WHEREAS, in addition to these college games many games between ranking high school football teams are also scheduled to be played at Legion Field during the ensuing season; and

WHEREAS, the fine stadium at Legion Field, when the addition thereto which is currently under construction is completed, will seat 70,000 people; and

WHEREAS, Birmingham because of its location near the center of the Southeastern States with easy access thereto by rail, air and super highways, is a natural meeting ground for sports fans and competing teams from throughout the South; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the City of Birmingham is truly "The Football Capital of the South," and all sports lovers and football fans everywhere are cordially invited to come to Birmingham and enjoy the many events scheduled to take place in Legion Field.

On motion of Mr. Rast the rules were suspended and H. J. R. 8 was adopted.

Also:

By Mr. Powell:

H. J. R. 9. WHEREAS, Mayor John W. Castleberry has contributed immeasurably of his time, energy, and financial resources towards the betterment of the social, cultural and economic lives of the citizens of Eclectic; and

WHEREAS, Mayor Castleberry in addition to his monetary gifts, served his town as mayor without pay for eight years; and

WHEREAS, the lives of the citizens of Eclectic have been enriched and enabled by this selfless individual; and

WHEREAS, as a gesture of appreciation for the services rendered his community, citizens of Eclectic are sponsoring a supper in his honor; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body joins with the citizens of Eclectic in expressing appreciation to Mayor Castleberry for his many contributions to his community and commends the town for having such an outstanding citizen.

On motion of Mr. Powell the rules were suspended and H. J. R. 9 was adopted.

Also:

By Mr. Jones (Covington):

H. J. R. 10. BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the Legislature of the State of Alabama hereby respectfully makes application to the Congress of the United States to call a convention for proposing an amendment to Article II, Section 1, of the Constitution of the United States as such convention may consider appropriate to provide a method of electing the President and Vice President of the United States by popular vote;

That the Congress is hereby requested to call said convention to convene in Washington, D. C. in the Capitol Building at the hour of 10:00 a.m., on the first Monday of the first December following transmission to the Senate and House of Representatives of the Congress of applications therefor by the legislatures of two-thirds of the several States;

That the several States shall have equal suffrage at said convention and be entitled to one seated delegate and such alternate delegates thereat as the legislatures of the several States shall choose, and in the event any of the several States shall fail to choose a delegate or alternate then the highest officer of its legislature or the president of its senate, if none be higher, shall be the delegate, and the next highest officer of its legislature or the speaker of its house of representatives, if none be higher, shall be the alternate of such state at said convention, who shall be certified to said convention by the secretary of state of the respective several States;

That said convention shall be limited and restricted specifically to the proposal of such amendment, the choosing of officers and staff and adoption of rules of procedure for the conduct of the convention, the determination of any issues respecting the seating of delegates thereat, and adjournment from day to day and to a day certain and place to place within said city as may be convenient and sine die; and said convention shall not be held for any other purpose nor have any other power;

That a printed record shall be made of the proceedings at said convention and that copies thereof, certified by the chief clerk of said convention, shall be transmitted to the Senate and the House of Representatives of the Congress; the Department of State of the United States; and to the secretary of state of each of the several States;

BE IT FURTHER RESOLVED, That the Congress is hereby requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes as part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several States;

BE IT FURTHER RESOLVED, That the Secretary of State of the State of Alabama is hereby directed to send copies of this resolution to the Senate and the House of Representatives of the Congress and to each Senator and Representative in the Congress from this State as soon as practicable after January 3, 1965; and

BE IT FURTHER RESOLVED That the Secretary of State of Alabama is also directed to send copies of this resolution to the president of the senate and the speaker of the house of representatives of the legislatures of the several States, forthwith upon its adoption.

Mr. Jones (Covington) moved to suspend the rules and adopt H. J. R. 10.

Mr. Etheredge called for a division of the question.

Mr. Jones (Covington) then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 10, and said motion was lost.

Yeas 45; Nays 29.

Yeas:

Mr. Speaker	Dominick	Hogan	Paulk
Albea	Downing	Ingram	Pierce
Bailes	Drake	Jones (Covington)	Salter
Baker (DeKalb)	Edwards (Escambia)	Little	Scurlock
Bevill	Edwards (Lowndes)	McDermott	Steagall
Boston	Glass	Mashburn	Stembridge
Branyon	Goldthwaite	Meade	Sullivan
Camp	Grouby	Meeks	Teel
Campbell (Jackson)	Hankins	Moore	Turner (Crenshaw)
Cook	Hannah	Nabors	Turnham
Crawford	Heflin	NeSmith	Young
Doggett			

—45

Nays:

Messrs.	Callahan	Etheredge	Powell
Avery	Campbell (Tuscaloosa)	Fite	Rast
Baker (Madison)	Casey	Harper	Rogers
Barnett	Cates	Hester	Sessions
Bethea (M)	Collins	Locke	Tuck
Bowers	Daniel	Pennington	Turner (Limestone)
Brown (Jefferson)	Davis	Perry	Vacca
Brown (Tuscaloosa)	Engel		

—29

And the resolution, H. J. R. 10, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Little, Goldthwaite, Nettles, Rogers, Daniel, Pierce and Goodwyn:

H. J. R. 11. Whereas, Senator Barry Goldwater, candidate for President of the United States, appeared in Montgomery, the Capital City of Alabama on September 16th; and,

Whereas, this was the first visit to Montgomery by a Presidential candidate in modern history; and,

Whereas, while here the Senator stated his strong belief in the doctrine of States Rights; and,

Whereas, he expressed his beliefs in law and order in the public streets of this country and his beliefs with regard to Constitutional Government; and,

Whereas, these doctrines of States Rights, Constitutional Government, fiscal responsibility, and law and order as opposed to mob rule and the Communist inspired doctrine of "civil disobedience" represent the views of the overwhelming majority of the people of Alabama:

Now, Therefore, Be it resolved by the House of Representatives, the Senate concurring, that this legislature commend Senator Goldwater for his visit to Alabama and the Cradle of the Confederacy and for expressing his view in such a forthright manner

Be it further resolved, that a copy of this resolution be transmitted to Senator Barry Goldwater.

On motion of Mr. Little the rules were suspended and H. J. R. 11 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Givhan, Dumas and Oden:

S. J. R. 3. WHEREAS the passing of Mr. Claude Lawson, prominent industrialist of Birmingham was a distinct loss to Alabama and to his many friends who bemoan his death; and

WHEREAS Mr. Lawson's foresight and keen judgment in the affairs of business management and industrial leadership made his wise counsel much sought after during his long association with Sloss-Sheffield Steel and Iron Company, U. S. Pipe and Foundry Company, the Associated Industries of Alabama, and with the Birmingham Trust National Bank of which he was a valued director; and

WHEREAS Mr. Lawson's deep concern for his community and State as well as his loyalty to his close associates and friends will be sorely missed; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the death of Mr. Lawson and extends its sincere sympathy to Mrs. Lawson and the surviving members of his family.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mrs. Lawson, to the president of the United States Pipe and Foundry Company, and to Associated Industries of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Perry the rules were suspended and the House concurred in and adopted the S. J. R. 3 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Nichols:

S. J. R. 1. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a Committee of two members of the Senate, to be named by the presiding officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED That said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

And the President and Presiding Officer of the Senate named as Committee on the part of the Senate Messrs. Mathews and Nichols.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 1 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Nichols:

S. J. R. 2. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 6:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of two from the Senate, to be named by the Presiding Officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the President and Presiding Officer of the Senate has named as Committee on part of the Senate Messrs. Mathews and Nichols.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 2 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 5. Petitioning Congress to propose an amendment to Article X of the Amendments to the United States Constitution by adding a proviso relative to state control and jurisdiction over the public schools.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Mathews, Oden, Nichols, Cooper, Shelton, Wilson, Hawkins, Montgomery, Lowe, Eddins, Givhan, Carter, James, Gilchrist, McDow, Taylor, Dumas, Brannan, Robison (Pickens), Evans, Hammond, Smith, Robison (Montgomery), Hornsby, Tyson, Reynolds, Clark, Bentley, Allen, Lolley, Roberts, Horton and McCain:

S. J. R. 4. TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES:

The Alabama Legislature, in extraordinary session assembled, most respectfully represent that there is an urgent necessity for clarification and settlement by law of questions relating to the powers and rights reserved in the people and the several states under Article X of the Amendments of the United States Constitution as such powers and rights relate to the operation, management and control of public schools in the several states; now therefore be it

RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we hereby petition the Congress, under authority of Article V of the United States Constitution to call a convention, as therein provided, to propose an Amendment to Article X of the Amendments to the United States Constitution by adding a proviso thereto as follows:

"Among the rights reserved to the states shall be the right to sole, and exclusive jurisdiction of public school systems in the separate states, and all rights, privileges and immunities of citizens of the separate states, as they relate to public school education, shall be determined solely by state courts. This Constitution shall not be construed in a manner to empower the President of the United States, the Congress or the Federal Judiciary to disparage or nullify this inherent right in the states."

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to the Presiding officers of the separate Houses of the Legislature of the several states and to the Governors of the several states and to the members of the Alabama delegation in the Congress.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 4 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Cooper, Carter, Shelton, Wilson, Givhan, McDow, Mathews, Robison (Montgomery), Montgomery, Gilchrist, Hammond, Taylor, James, Nichols, Evans, Brannan, Robison (Pickens), Smith, Bentley, Eddins, Hornsby, Clark, Reynolds, Horton, Tyson, Oden, Lolley, Hawkins, Allen, Roberts, McCain and Lowe:

S. J. R. 6. TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES:

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we hereby petition the Congress, under authority of Article V of the United States Constitution to call a convention, as therein provided, to propose an Amendment to the United States Constitution which will unequivocally empower a state at its option, to achieve equality of representation in its legislative body by utilizing population in apportioning one house of its legislature and any criteria as in its wisdom may be in its individual best interest in apportioning the other house of its legislature, thereby permitting the States to retain the pattern of governmental structure which has withstood the test of time and has proven its merits both in the national government and in the States.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to the presiding officers of the separate Houses of the Legislature of the several states and to the Governors of the several states and to the members of the Alabama delegation in the Congress.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Rogers moved to suspend the rules, concur in and adopt S. J. R. 6 set out in the above and foregoing Message from the Senate.

Mr. Bailes called for a division of the question.

Mr. Rogers then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing S. J. R. 6, and said motion was lost.

Yeas 30; Nays 27.

Yeas:

Mr. Speaker	Edwards (Escambia)	Little	Rogers
Albea	Edwards (Lowndes)	McCorquodale	Salter
Avery	Fite	Meade	Steagall
Baker (DeKalb)	Glass	Moore	Stembridge
Branyon	Goldthwaite	Nettles	Teel
Casey	Grouby	Pierce	Vacca
Crawford	Hogan	Powell	Young
Daniel	Ingram		

Nays:

Messrs.	Brown (Tuscaloosa)	Edington	Nabors
Bailes	Burnham	Fields	Paulk
Baker (Madison)	Callahan	Goodwyn	Pennington
Barnett	Carr	Harper	Sessions
Bethea (M)	Collins	Heflin	Snell
Bowers	Cooper	Jones (Covington)	Sullivan
Brown (Jefferson)	Dominick	McDermott	Turner (Crenshaw)

—27

And the resolution, S. J. R. 6, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 6. Relative to sine die adjournment of the two Houses.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 7. Requesting the State Board of Education to make a study to determine the need and feasibility of establishing a trade school to be operated in conjunction with the Alabama Institute for Deaf and Blind at Talladega.

Also:

H. J. R. 8. Inviting all sports lovers and football fans everywhere to attend the games in Birmingham scheduled at Legion Field.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Tyson:

S. J. R. 5. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature notes with sincere regret the recent death of an outstanding citizen of Alabama, a native of Cullman who became a citizen of Mobile, Mr. Thomas H. Dodd. For many years Mr. Dodd was an active worker for the beautification and betterment of the City of Mobile. As a member and officer of the local P. T. A., many fraternal organizations, the Chamber of Commerce, and the Nurserymen's Association, his contribution to the city of the Azalea Trail were numerous.

BE IT FURTHER RESOLVED that the Legislature hereby extends heartfelt sympathy to Mrs. Dodd and other surviving members of Mr. Dodd's family.

The Secretary of the Senate is directed to send a copy of this resolution to Mrs. Dodd.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Edington the rules were suspended and the House concurred in and adopted the S. J. R. 5 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 9. Expressing appreciation to Mayor Castleberry for his valuable contributions to the City of Eclectic, and his outstanding leadership during his eight years as Mayor.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 5. Relative to petitioning the Congress, under authority of Article V of the United States Constitution to call a convention, as therein provided, to propose an amendment to Article X of the amendments to the United States Constitution.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 3. Mourning the death of Mr. Claude Lawson of Birmingham.

Also:

S. J. R. 5. Mourning the death of Mr. Thomas H. Dodd of Mobile.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 7. Relative to requesting the State Board of Education to make a study to determine the need for a trade school to be operated in conjunction with the Alabama Institute for Deaf and Blind at Talladega.

Also:

H. J. R. 8. Relative to Legion Field in Birmingham, Alabama.

Also:

H. J. R. 9. Relative to expressing appreciation to Mayor John W. Castleberry of Eclectic for his many contributions to his community.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 8:50 P.M. On September 21, 1964

H. J. R. 5
H. J. R. 7
H. J. R. 8
H. J. R. 9

JOHN W. PEMBERTON,
Clerk.

REPORT OF THE STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Turner (Crenshaw), the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

ADJOURNMENT

On motion of Mr. Turnham the House adjourned sine die at 8:45 P.M.

ALBERT P. BREWER,
Speaker of the House of Representatives of the
Legislature of Alabama,
Second Extraordinary Session, 1964

Attest:

JOHN W. PEMBERTON,
Clerk of the House of Representatives of the
Legislature of Alabama,
Second Extraordinary Session, 1964

SECOND SPECIAL SESSION 1964**ACTS OF ALABAMA**

Legislature, printing and binding of acts and journals of—
HJR 4, page 6

ALABAMA INSTITUTE FOR DEAF AND BLIND

Board of Education requested to make study relative to location of
trade school at—
HJR 7, pages 16, 24, 26

BIRMINGHAM, CITY OF

Football and other sports fans invited to Legion Field—
HJR 8, pages 17, 24, 26

BOARD OF EDUCATION, STATE

Alabama institute for deaf and blind, requesting study relative to
location of trade school at—
HJR 7, pages 16, 24, 26

CASTLEBERRY, JOHN W.

Expressing appreciation to—
HJR 9, pages 17, 25, 26

CONGRESS

Legislative bodies, petitioned to propose constitutional amendment
relative apportionment of—
SJR 6, page 23

President and vice-president, requested to call convention to provide
method of electing by popular vote—
HJR 10, page 18

Schools, public, petitioned to propose constitutional amendment
relative to state control of—
HJR 5, pages 14, 22, 25, 26
SJR 4, page 22

DODD, THOMAS H.

Mourning death of—
SJR 5, pages 24, 26

ECLECTIC, CITY OF

Castleberry, John W., expressing appreciation to—
HJR 9, pages 17, 25, 26

EDUCATION

Alabama institute for deaf and blind, state board of education re-
quested to make study relative to location of trade school at—
HJR 7, pages 16, 24, 26

Congress petitioned to propose constitutional amendment relative
to state control of public schools—
HJR 5, pages 14, 22, 25, 26
SJR 4, page 22

GOLDWATER, SENATOR BARRY

Commended—
HJR 11, page 19

GOVERNOR

Legislature, joint session to hear address by—
HJR 3, pages 5, 6
SJR 2, page 21

Message from, page 7

Notified that legislature is in session—
HJR 2, pages 5, 6
SJR 1, page 21

Proclamation by, page 1

HOUSE OF REPRESENTATIVES

Acts and journals, printing and binding of—
HJR 4, page 6

Adjournment sine die—
HJR 6, pages 16, 24

Congress petitioned to propose constitutional amendment relative to
apportionment of—
SJR 6, page 23

Governor, joint session to hear address by—
HJR 3, pages 5, 6
SJR 2, page 21

Governor, notified that legislature is in session—
HJR 2, pages 5, 6
SJR 1, page 21

Senate notified that house is in session—
HR 1, page 5

JEFFERSON COUNTY

Birmingham, city of, inviting football and other sports fans to Le-
gion Field—
HJR 8, pages 17, 24, 26

LAWSON, CLAUDE

Mourning death of—
SJR 3, pages 20, 25

LEGION FIELD

Inviting football and other sports fans to—
HJR 8, pages 17, 24, 26

LEGISLATURE

Acts and journals of second special session, printing and binding of—
HJR 4, page 6

Adjournment sine die—
HJR 6, pages 16, 24

Congress petitioned to propose constitutional amendment relative
to apportionment of—
SJR 6, page 23

LEGISLATURE (Continued)

Governor, joint session to hear address by—
HJR 3, pages 5, 6
SJR 2, page 21

Governor notified that Legislature is in session—
HJR 2, pages 5, 6
SJR 1, page 21

Senate notified that house is in session—
HR 1, page 5

PRESIDENT, UNITED STATES

Congress requested to call convention to provide method of electing
president and vice president by popular vote—
HJR 10, page 18

RESOLUTIONS

Alabama institute for deaf and blind, state board of education re-
quested to make study relative to location of trade school at—
HJR 7, pages 16, 24, 26

Castleberry, John W., expressing appreciation to—
HJR 9, pages 17, 25, 26

Congress petitioned to propose constitutional amendment relative to
apportionment of legislative bodies—
SJR 6, page 23

Congress petitioned to propose constitutional amendment relative to
state control of public schools—
HJR 5, pages 14, 22, 25, 26
SJR 4, page 22

Congress requested to call convention to provide method of electing
president and vice-president by popular vote—
HJR 10, page 18

Dodd, Thomas H., mourning death of—
SJR 5, pages 24, 26

Goldwater, Senator Barry, commended—
HJR 11, page 19

Governor, notified that legislature is in session—
HJR 2, pages 5, 6
SJR 1, page 21

House notifying senate that it is in session—
HR 1, page 5

Jefferson County, City of Birmingham, inviting football and other
sports to visit Legion Field—
HJR 8, pages 17, 24, 26

Lawson, Claude, mourning death of—
SJR 3, pages 20, 25

Legislature, adjournment sine die—
HJR 6, pages 16, 24

Legislature, joint session to hear address by Governor—
HJR 3, pages 5, 6
SJR 2, page 21

RESOLUTIONS (Continued)

Legislature, printing and binding of acts and journals of—
HJR 4, page 6

SCHOOLS

Alabama institute for deaf and blind, state board of education requested to make study relative to location of trade school at—
HJR 7, pages 16, 24, 26

Congress petitioned to propose constitutional amendment relative to state control of—
HJR 5, pages 14, 22, 25, 26
SJR 4, page 22

SENATE

Acts and journals, printing and binding of—
HJR 4, page 6

Adjournment sine die—
HJR 6, pages 16, 24

Congress petitioned to propose constitutional amendment relative to apportionment of—
SJR 6, page 23

Governor, joint session to hear address by—
HJR 3, pages 5, 6
SJR 2, page 21

Governor notified that legislature is in session—
HJR 2, pages 5, 6
SJR 1, page 21

TRADE SCHOOLS

Alabama institute for deaf and blind, state board of education requested to make study relative to location of trade school at—
HJR 7, pages 16, 24, 26

VOCATIONAL EDUCATION

Alabama institute for deaf and blind, state board of education requested to make study relative to location of trade school at—
HJR 7, pages 16, 24, 26

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION
OF 1964

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, AUGUST 4, 1964



WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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State of Alabama

**JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION OF 1964**

**FIRST LEGISLATIVE DAY
TUESDAY, AUGUST 4, 1964**

BE IT REMEMBERED, that on the 24th day of July, A.D., 1964, George C. Wallace, Governor of the State of Alabama, issued his proclamation in words and figures as follows, to-wit:

**A PROCLAMATION
BY THE
GOVERNOR**

WHEREAS, the loss of a congressman following the Federal decennial census of 1960 and the subsequent failure of the Legislature to divide the State into eight congressional districts has occasioned an acute crisis in the administration of the public affairs of the people of Alabama requiring consideration by the Legislature of legislation to effect the division of the State into eight congressional districts; and

WHEREAS, there exists this extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama:

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the seat of Government at the State Capitol in Montgomery, Alabama, at twelve o'clock noon, August 4, 1964, and I hereby designate the following subject and matter to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to amend Section 425, Title 17, 1940 Code of Alabama, to provide for the division of the State into eight congressional districts and to designate the counties comprising each such district.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and caused the Secretary of State to attest this proclamation, at the Capitol, in the City of Montgomery, on the 24th day of July, 1964.

GEORGE C. WALLACE,
Governor.

ATTEST:
MRS. AGNES BAGGETT,
Secretary of State

Pursuant to such proclamation, at the hour of 12 o'clock Noon, on Tuesday, August 4, 1964, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by Honorable James B. Allen, Lieutenant Governor and President and Presiding Officer of the Senate. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend W. H. Swearingin, Pardon and Parole Board, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson
Eddins	Lolley		

—33

LEAVES OF ABSENCE

On motion of Mr. Nichols, leaves of absence were granted Messrs. Roberts and Adams for today.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to notify the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Mr. Nichols offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of five, consisting of two members on the part of the Senate, to be appointed by the President, and three members on the part of the House, to be appointed by the Speaker, be named to wait upon the Governor and inform him that the Legislature is in session and is ready for the transaction of public business.

BE IT FURTHER RESOLVED, That a joint session of the two houses be held at 12:30 p.m. today for the purpose of hearing an address by the Honorable George C. Wallace, Governor of Alabama; and the above committee shall wait upon the Governor and advise him that the two houses will meet in joint session at 12:30. The committee shall escort the Governor to the House at such hour if he desires to address the joint session.

On motion of Mr. Nichols, the Rules were suspended and the Resolution, S. J. R. 1, was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Mathews and Nichols.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Horton:

S. 1. Proposing a constitutional amendment relative to an apportionment of the Senate of the Legislature of Alabama.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Horton:

S. 2. Proposing a constitutional amendment relative to an apportionment of the Senate of the Legislature of Alabama.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Gilchrist:

S. 3. Proposing an amendment to the Constitution of Alabama, to prescribe a maximum rate applicable to the levy of a state sales or use tax.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Gilchrist:

S. 4. Proposing an amendment to the Constitution of Alabama relating to the issuance and sale of revenue bonds by counties.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Gilchrist:

S. 5. Relating to the Municipality of Decatur, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the City of Decatur, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the next Special or Regular Session of the Legislature of Alabama for the enactment of local law substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Municipality of Decatur, in Morgan County, Alabama:

To alter, re-arrange and extend the boundaries and corporate limits of the Town of Decatur, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION 1

The boundaries of the Municipality of Decatur, in Morgan County, Alabama, are hereby altered, re-arranged, and extended to include within the corporate limits of the Town of Decatur, Alabama, in addition to the territory now embraced therein, the following described territory situated in Morgan County, Alabama, to-wit:

The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 12, Township 6 South, Range 5 West; and

A tract of land containing 14.92689 acres lying in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 31, Township 5 South, Range 4 West, Morgan County, Alabama, described as follows: Beginning at the southeast corner of Section 31, Township 5 South, Range 4 West, and running north along the section line 2664 feet to the true point of beginning; thence continuing north along said section line 543.78 feet to a point on the westerly margin of the L & N Railroad right-of-way; thence turning an angle of 171°-11' measured clockwise from back tangent and running northwesterly along the westerly margin of said right-of-way 23.38 feet to a point; thence turning an angle of 98°-49' measured clockwise from back tangent and running westerly 1143.50 feet to a point; thence turning an angle of 90° and running southerly 566.88 feet to a point; thence turning an angle of 90° and running easterly 1147.08 feet to the true point of beginning; and also

Beginning at the southeast corner of Section 31, Township 5 South, Range 4 West, and running north along the Section line 2664 feet to a point; thence turning an angle of 90° and running west 1147.08 feet to the true point of beginning; thence turning an angle of 90° and running north 566.88 feet to a point; thence turning an angle of 90° and running west 1532.73 feet to a point; thence turning an angle of 89° 57' measured clockwise from back tangent and running southerly 971.23 feet to a point; thence turning an angle of 89° 45' measured clockwise from back tangent and running easterly 1531.90 feet to a point; thence turning an angle of 90° 18' measured clockwise from back tangent and running north 396.33 feet to the true point of beginning, all the herein described land lying and being in the E $\frac{1}{2}$ of Section 31, Township 5 South, Range 4 West, Morgan County, Alabama, and containing 34.02 acres.

SECTION 2

This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 4th, Jan. 11th, Jan. 18th, and Jan 25th, all in the year 1964.

B. C. SHELTON.

Sworn to and subscribed before me January 27th, 1964.

R. H. JERVIS,
Notary Public.

By Mr. Gilchrist:

S. 6. Proposing an amendment to the Constitution of Alabama requiring approval of the qualified electors of the state prior to the issuance and sale of revenue bonds.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Carter and Cooper:

S. 7. To amend Code of Alabama 1940, Title 17, Section 425, in relation to congressional redistricting.

Committee on Privileges and Elections.

By Mr. Nichols:

S. 8. To regulate the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000.

Committee on Local Legislation.

By Mr. Nichols:

S. 9. Relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of a clerk for the board of registrars whose compensation shall be paid by the county.

Committee on Local Legislation.

By Mr. Nichols:

S. 10. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-five Thousand (65,000) nor more than Ninety-five Thousand (95,000), according to the most recent Federal Decennial census.

Committee on Local Legislation.

By Mr. Nichols:

S. 11. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

Committee on Local Legislation.

By Mr. McCain:

S. 12. To amend further Section 3 of Act No. 47, H. 29, Regular Session 1951, an act providing educational benefits for certain disabled veterans and their dependents and survivors (Acts 1951, v. 1, p. 259).

Committee on Education.

By Mr. McCain:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Committee on Local Legislation.

By Mr. McCain:

S. 14. To authorize and provide for the establishment of a fund to be designated as the Circuit Court fund of Sixth Judicial Circuit of Alabama and to provide that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of the Sixth Judicial Circuit of Alabama shall be paid into such Circuit Court fund of the Sixth Judicial Circuit of Alabama and to provide that one half of such fund shall be expended for law books for the library of the Circuit Court of the Sixth Judicial Circuit of Alabama under the direction of the Judges of the Sixth Judicial Circuit of Alabama and that one half of such fund shall be available to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama to be expended under his direction in connection and for the enforcement of the laws in the Sixth Judicial Circuit of Alabama, and to provide for deposit of such funds.

Committee on Judiciary.

By Mr. Wilson:

S. 15. Relating to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fite:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the presiding officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED THAT said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

And the Speaker of the House named as a Committee on the part of the House Messrs. Nettles, Thomas and Avery.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Nichols and Mathews.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fite:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate be held at 12:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House to be named by the Speaker of the House and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the Speaker of the House named as a Committee on the part of the House Messrs. Turner (Crenshaw), Cates and Barnett.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 3, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Nichols and Mathews.

MOTION TO RECESS

Mr. Nichols moved that at the completion of the Joint Session, to be held at 12:30 P.M. for the purpose of hearing the message of His Excellency, the Governor, the Senate take a recess until 3 o'clock this afternoon, which motion was adopted.

JOINT SESSION

The hour of 12:30 P.M. having arrived, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor.

The Session was called to order by Honorable James B. Allen, Lieutenant Governor and President and Presiding Officer of the Senate.

A quorum of the Legislature of Alabama was present.

Thereupon, Honorable George C. Wallace was escorted to the Chair and delivered his address to the Legislature of Alabama.

(See House Journal for address by Governor Wallace).

The purpose of the Joint Session having been accomplished, and in accordance with motion heretofore adopted by the Senate, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION
FIRST LEGISLATIVE DAY
TUESDAY, AUGUST 4, 1964

The Senate re-assembled at 3 o'clock P.M., Lieutenant Governor James B. Allen presiding.

ROLL CALL

Present:

Messrs.:	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson
Eddins	Lolley		

—33

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Dumas:

S. 16. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall

by resolution have found and determined that said municipality will be benefited thereby.

Committee on Local Legislation.

By Mr. Dumas:

S. 17. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Committee on Local Legislation.

By Mr. Dumas:

S. 18. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

Committee on Local Legislation.

By Mr. Dumas:

S. 19. To amend the Title and Section 1 of Act No. 663, S. 132, approved September 6, 1961 (Acts of 1961, p. 827) entitled "An Act to provide for and regulate general and special elections in the cities and towns of this State, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the City or Town holding such elections."

Committee on Local Legislation.

By Mr. Dumas:

S. 20. To establish an Inferior Court in Precincts 9, 10, 21 and 42 in Jefferson County Ala. and in all other precincts lying within or partly within the City of Birmingham, Ala. except Precincts 29, 45 and 52 in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory and with concurrent jurisdiction with all other justices of the peace and inferior courts in the Birmingham Division of Jefferson County, Alabama, to define the jurisdiction and powers of said court, the judge, clerks and other officers thereof: to provide for a place of holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

NOTICE. A bill will be introduced in the next session of the legislature, special or general, to establish an inferior court in precincts 9, 10, 21, 29, 42, 45 and 52 in Jefferson County, Ala., and in all other precincts lying within or partly within the City of Birmingham, Ala., in lieu of all Justices of the Peace in said precincts and in lieu of all notaries public with powers of Justices of the Peace, and in lieu of all other inferior courts created in lieu of Justices of the Peace heretofore created in said territory and with concurrent jurisdiction with all other Justices of the Peace and inferior courts in the Birmingham Division of Jefferson County, Ala., to define the jurisdiction and powers of said court, the judges, clerks and other officers thereof; to provide for places of holding said court, terms and salaries of said judges, the manner of their appointment and election.

Messenger—Sept. 21, 28; Oct. 5, 12, 1963.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of September 21, 28; Oct. 5, 12, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 14th day of October 1963.

ANGIE CAMPISI,
Notary Public.

By Mr. Dumas:

S. 21. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

There will be introduced at the Alabama Legislature the following bill to become a Local Act:

A BILL TO BE ENTITLED AN ACT

AN ACT

To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms of tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy Who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were Nov. 1, 8, 15, 22, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

My Commission expires 1-21-66.

By Mr. Dumas:

S. 22. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, Page

663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Committee on Local Legislation.

By Mr. Dumas:

S. 23. To amend Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, Acts of Alabama 1951, Page 1579, et seq., as heretofore amended.

Committee on Local Legislation.

By Mr. Dumas:

S. 24. To amend Act No. 556, of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, Page 1376 et seq.

Committee on Local Legislation.

By Mr. Dumas:

S. 25. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Committee on Local Legislation.

By Mr. Dumas:

S. 26. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

Committee on Local Legislation.

By Mr. Dumas:

S. 27. To apply in and only in each City in this State having a population of 300,000 or more, according to the last or any subsequent decennial Federal census; to provide for the creation of the office of City Magistrate and the appointment of City Magistrates; To define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest.

Committee on Local Legislation.

By Mr. Dumas:

S. 28. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Committee on Local Legislation.

By Mr. Dumas:

S. 29. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Ala-

bama of 1953, Page 766, et seq. until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next general or special session of the Legislature of ALABAMA application will be made to the Legislature that the following bill be enacted:

A BILL TO BE ENTITLED AN ACT

To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Jefferson County, Alabama.

Section 2 (a). Subject to the conditions specified in subsection (c) below, in each criminal case, quasi criminal case, proceeding on a forfeited bail bond in the Circuit Court or in each criminal case in any statutory inferior court in Jefferson County, Alabama, there shall be taxed a witness fee of One (\$1.00) Dollar for each deputy sheriff subpoenaed in any such case.

(b) Subject to the conditions specified in subsection (c) below, such witness fee shall be collected by the clerks of the Courts, and the total of such fees collected on account of any one deputy sheriff on the same day, only the sum of One (\$1.00) Dollar shall be paid to the said deputy sheriff witness, and the balance of said witness fees collected on said cases on account of deputy sheriff witnesses shall be paid monthly to the Treasurer of the County for the use of and benefit of the retirement fund of the retirement system established by Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, General Acts of

Alabama of 1953, page 766, et seq. until the benefits are being paid from the said retirement fund at the maximum rates provided for by said Act No. 551, and thereafter the aforesaid balance of said witness fees shall be paid monthly to the Treasurer of said County for the use of and benefit of the retirement fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, page 1250, et seq.

(c) In those cases where the defendant is required to serve time in lieu of payment of costs, no witness fee on account of said deputy sheriff shall be collected and such witness fees that shall be paid into either of the retirement funds above mentioned shall be limited to two witness fees in any one case.

Section 3. If any part of this Act shall be held invalid, such holding shall not affect the validity of the remaining parts of the said Act.

Section 4. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of January 11, 18, 25, and February 1, 1964, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 3 day of February, 1964.

MILDRED M. GRIFFIN,
Notary Public.

By Mr. Dumas:

S. 30. To provide for and fix the sum of Three Hundred Dollars per month as an allowance for expenses for the mayor or other Chief Executive Officer of any city having a population of three hundred thousand census for which he shall not be required to file an accounting.

Committee on Local Legislation.

By Mr. Dumas:

S. 31. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Committee on Local Legislation.

By Mr. Dumas:

S. 32. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members

of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

Committee on Local Legislation.

By Mr. Dumas:

S. 33. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Committee on Local Legislation.

By Mr. Dumas:

S. 34. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Committee on Local Legislation.

By Mr. Dumas:

S. 35. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Committee on Local Legislation.

By Mr. Dumas:

S. 36. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Committee on Local Legislation.

By Mr. Dumas:

S. 37. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

The State of Alabama—Jefferson County.

NOTICE is hereby given that a Bill will be introduced at the next Special or Regular Session of the Alabama Legislature for the passage of an ACT to increase the annual salaries of the Judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said Judges.

Messenger—Nov. 16, 23, 30; Dec. 7, 1963.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of November 16, 23, 30; Dec. 7, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 28th day of July, 1964.

ANGIE CAMPISI,
Notary Public.

By Mr. Dumas:

S. 38. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regular the payment of the salaries of said judge:

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE is hereby given that a bill will be introduced in the next regular or special session of the Legislature of Alabama which will increase the compensation to be paid the Judge of the Jefferson County Criminal Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of November 16, 23, 30; Dec. 7, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 30th day of July 1964.

ANGIE CAMPISI,
Notary Public.

By Mr. Dumas:

S. 39. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, is hereby amended to read as follows:

"Section 3. That said assistant to the Sheriff shall be paid an annual salary of eleven thousand dollars (\$11,000.00) to be paid out of the County Treasury as the salaries of other County employees are paid."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Bessemer Advertiser,
January 31, Feb. 7-14-21, 1964.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Jan. 31st; Feb. 7-14-21, 1964 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 21st day of Feb. 1964.

W. E. MILLER,
Notary Public.

By Mr. Dumas:

S. 40. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Committee on Local Legislation.

By Mr. Dumas:

S. 41. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Committee on Local Legislation.

By Mr. Dumas:

S. 42. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

Committee on Local Legislation.

By Mr. Dumas:

S. 43. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Committee on Local Legislation.

By Mr. Dumas:

S. 44. To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill in substantially the following form will be introduced in the next Regular or Special Session of Legislature of Alabama and an effort made towards the passage of same:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, P. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Be It Enacted by the Legislature of Alabama:

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly

sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: November 8, 15, 22, 29, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

My Commission expires 1-21-66.

By Mr. Dumas:

S. 45. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Committee on Local Legislation.

By Mr. Dumas:

S. 46. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill in substantially the following form will be introduced in the next Regular or Special Session of the Legislature of Alabama and an effort made towards the passage of same:

A BILL TO BE ENTITLED AN ACT

To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register

of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer and to further provide for such office and the duties, authority and compensation for such office.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, Who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Nov. 22, 29, Dec. 6, 13, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

My Commission expires 1-21-66.

By Mr. Dumas:

S. 47. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Committee on Local Legislation.

By Mr. Dumas:

S. 48. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Committee on Local Legislation.

By Mr. Dumas:

S. 49. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next general or special session of the Legislature of ALABAMA application will be made to the Legislature that the following bill be enacted:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 19 of Act 333, Acts of Alabama 1953, approved August 17, 1953, is hereby amended so as to read as follows:

Section 19. Notices of the requirement of the attendance of jury service may be served by first class mail, or may be served as provided by Section 33, of Title 30, Code of Alabama, 1940. Should in the discretion of the Sheriff, the service be made by first class mail, such service shall be as follows: It shall be the duty of the Sheriff of the County to enclose the summons in an envelope addressed to the person to be served and place all necessary postage and a return address thereon with notice to the postal authorities not to forward outside of Jefferson County, Alabama. In the event said jury summons is returned to the Sheriff by the Post Office Department of the United States without delivery the summons shall be by the Sheriff returned NOT FOUND. All jury summons not returned by said Post Office Department shall be considered for all purposes as sufficient personal and legal service. The provisions of this Section in reference to service by mail, however shall not apply to jury summons returnable before the Court instanter, but such summons shall be served only as provided by Section 33 of Title 03, Code of Alabama of 1940.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th Day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of January 11, 18, 25 and February 1, 1964, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 3 day of February, 1964.

MILDRED M. GRIFFIN,
Notary Public.

By Mr. Dumas:

S. 50. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and

trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Dumas:

S. 51. To provide that the governing body of any city in the state having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

Committee on Local Legislation.

By Mr. Dumas:

S. 52. To amend Section 3 of Act No. 695 of the 1951 Legislature.

Committee on Local Legislation.

By Mr. Dumas:

S. 53. To provide that any city or town in the state having a commission form of government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for commissioners positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the Board of Commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by commissioners; to prohibit commissioners from holding other public offices; to prohibit any commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the Board; to provide for the salaries of Commissioners and other disbursements of the municipality; to provide that meetings of the Board of Commissioners shall be open to the public; to provide a manner for changing the form of government of the municipality; to provide for the presentation of a petition calling for the resignation of a Commissioner, and to establish requirements for the signing thereof; to provide a fee for the Judge

of Probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a commissioner and for the election of his successor; and to state the method for ascertaining qualified voters in municipalities situated in more than one county.

Committee on Municipalities and Municipal Organizations.

By Mr. Dumas:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Committee on Municipalities and Municipal Organizations.

By Mr. Dumas:

S. 55. Relating to state revenue; further prescribing deduction of certain charitable contributions or gifts in computing individual and corporate state income tax liability.

Committee on Finance and Taxation.

By Mr. Dumas:

S. 56. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

Committee on Local Legislation.

By Mr. Robison (Pickens):

S. 57. To divide the state into congressional districts and provide for election of congressmen by districts; amending Code of Alabama 1940, Title 17, Sections 425-426.

Committee on Privileges and Elections.

By Mr. McDow:

S. 58. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Committee on Finance and Taxation.

By Mr. McDow:

S. 59. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Committee on Finance and Taxation.

By Messrs. McDow, Clark and Carter:

S. 60. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and

reinstatement or certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

Committee on Public Health.

By Mr. Taylor:

S. 61. To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Butler.

Notice is hereby given that a bill substantially as follows will be introduced at the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235), is hereby amended to read as follows:

"Section 3. Judge. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1952, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. (b) Immediately after the passage of this Act, the Governor shall appoint and commission a judge of the court herein established, who shall hold office until his successor is elected or appointed as provided herein. (c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Butler County, learned in the law, and has been licensed to practice law in this state for two years. The judge and his partner shall not practice law in the court herein established, nor participate in any case appealed from such court, but they shall be free to practice in all other courts and engage in the general practice of law. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution. (d) The judge shall receive an annual salary of \$4,800 payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid. (e) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunctions and ne exeat; (3) administer oaths and

take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits involving the custody of children. (f) The judge shall be provided, at the expense of the county, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court. (g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code."

Section 2. This Act shall be effective from the first Monday after the second Tuesday in January, 1965.

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, Wm. E. Hardin, Jr., who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the city of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of Jan. 23, Jan. 30, Feb. 6 and Feb. 13 and being numbers 17, 18, 19 & 20, respectively of Volume 99.

W. E. HARDIN.

Sworn to and subscribed before me, this 27th day of July, 1964.

PAULINE B. FULTON,
Notary Public.

By Messrs. Cooper, Brannan, Evans, Eddins, Tyson and Metcalf:

S. 62. To provide for a survey of the mineral, water and petroleum resources of the counties within the Alabama, Tombigbee and Mobile River basins, and for making and expending an appropriation for the purposes of this Act and to provide an effective date therefor.

Committee on Forestry and Conservation.

By Messrs. Cooper and Carter:

S. 63. To redistrict the State and provide for the election of congressmen by districts, amending Code 1940, Title 17, Sections 425 and 426.

Committee on Privileges and Elections.

By Mr. Taylor:

S. 64. To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Butler.

Notice is hereby given that a bill substantially as follows will be introduced at the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 325, H. 873, Regular Session 1957, entitled "An Act Relating to Butler County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of said county to provide for reimbursing the Judge of the Inferior Court of Butler County the expenses incurred by him in maintaining his office and in the performance of his duties," (Acts 1957, v. 1, p. 429) is hereby expressly repealed.

Section 2. This act shall take effect on the first Monday after the second Tuesday in January, 1965.

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, Wm. E. Hardin, Jr., who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the city of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of Jan. 23, Jan. 30, Feb. 6, Feb. 13, 1964 and being numbers 17, 18, 19 & 20, respectively of Volume 99.

W. E. HARDIN.

Sworn to and subscribed before me, this 27th day of July, 1964.

PAULINE B. FULTON,
Notary Public.

By Mr. Taylor:

S. 65. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body of all counties having populations of not less than 24,525 nor more than 24,675.

Committee on Local Legislation.

By Mr. Taylor:

S. 66. For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Butler.

Notice is hereby given that a bill substantially as follows will be introduced at the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

Be It Enacted by the Legislature of Alabama:

Section 1. Immediately upon passage of this act the Court of County Commissioners of Butler County, Alabama, is authorized and directed to issue its warrant on the county depository of said county in favor of Joseph H. Till, Jr., in the sum of Five Hundred Dollars (\$500.00), which shall be paid out of any funds in said county depository not otherwise appropriated, for the purpose of compensating the said Joseph H. Till, Jr., for fire damage to timber on his land, caused by the county right of way crew when burning right of way on a public road in Butler County, Alabama.

Section 2. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the city of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of Jan. 23, Jan. 30, Feb. 6 and Feb. 13, and being numbers 17, 18, 19 and 20, respectively of Volume 99.

J. G. STANLEY.

Sworn to and subscribed before me, this 27th day of July, 1964.

PAULINE B. FULTON,
Notary Public.

By Mr. Eddins:

S. 67. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

Committee on Privileges and Elections.

By Mr. Brannan:

S. 68. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Committee on Finance and Taxation.

By Mr. Bentley:

S. 69. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

Committee on Local Legislation.

By Mr. Bentley:

S. 70. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

Committee on Local Legislation.

By Messrs. Clark and Lolley:

S. 71. Proposing an amendment to the Constitution of Alabama in relation to the eligibility of certain state officers to succeed themselves in office.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Lolley and Clark:

S. 72. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

Committee on Finance and Taxation.

By Mr. Lolley:

S. 73. To apply in all counties having populations of not less than 30,550 nor more than 31,000, regulating the compensation of members of the county governing body.

Committee on Local Legislation.

By Mr. Reynolds:

S. 74. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Committee on Local Legislation

By Messrs. Smith, Clark, McDow, Hornsby, Brannan and Metcalf:

S. 75. To authorize the investment of funds held by clerks of circuit courts or registers in chancery.

Committee on Banking.

By Messrs. Smith, Clark, McDow, Hornsby, Brannan, Metcalf and Hawkins:

S. 76. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Committee on Banking.

By Mr. Robison (Montgomery):

S. 77. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Committee on Judiciary.

By Messrs. Nichols, Robison (Montgomery), Horton, Dumas, Brannan and Smith:

S. 78. To make an appropriation to the use of the White House Association.

Committee on Finance and Taxation.

By Messrs. Smith, Metcalf, Reynolds, Oden, Hawkins, McDow, Brannan, Taylor, Givhan, Lowe, Eddins, Evans, Clark, Robison (Montgomery), Lolley, McCain, Tyson and Mathews:

S. 79. Relating to the administration of pardons and paroles, providing for the waiver of certain notice, further amending Title 42, Section 16, Code of Alabama 1940.

Committee on Judiciary.

By Messrs. Smith, Metcalf, Reynolds, Oden, Hawkins, McDow, Brannan, Taylor, Givhan, Lowe, Eddins, Evans, Clark, Robison (Montgomery), Lolley, McCain, Tyson and Mathews:

S. 80. Relating to the administration of pardons and paroles, amending Title 42, Section 13, Code of Alabama 1940.

Committee on Judiciary.

By Messrs. Smith, Metcalf, Reynolds, Oden, Hawkins, McDow, Brannan, Taylor, Givhan, Lowe, Eddins, Evans, Clark, Robison (Montgomery), Lolley, McCain, Tyson and Mathews:

S. 81. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

Committee on Finance and Taxation.

By Messrs. Smith, Metcalf, Reynolds, Oden, Hawkins, McDow, Brannan, Taylor, Givhan, Lowe, Eddins, Evans, Clark, Robison (Montgomery), Lolley, McCain, Tyson and Mathews:

S. 82. To provide for time of trial or dismissal of charges pending against defendants or charges filed against defendants who are serving sentences in the penitentiary.

Committee on Judiciary.

By Messrs. Smith, Metcalf, Reynolds, Oden, Hawkins, McDow, Brannan, Taylor, Givhan, Lowe, Eddins, Evans, Clark, Robison (Montgomery), Lolley, Tyson and Mathews:

S. 83. To provide for conditional release of county prisoners; repealing conflicting laws.

Committee on Judiciary.

By Messrs. Smith, Metcalf, Reynolds, Oden, Hawkins, McDow, Brannan, Taylor, Givhan, Lowe, Eddins, Evans, Clark, Robison (Montgomery), Lolley, Tyson and Mathews:

S. 84. Relating to the pardon and parole of persons whose sentence to death has been commuted by the Governor to life imprisonment; repealing Act No. 804, S. 355, Regular Session 1951 (Acts 1951, p. 1401).

Committee on Judiciary.

By Mr. Hammond:

S. 85. To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that the substance of the following local act will be introduced and efforts made to pass some at the next session of the Legislature of Alabama.

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of Solicitor of the DeKalb County Court, created by Act No. 418, H. 908, Sections 18 and 19, pages 441 and 442, Acts of the Legislature of Alabama 1961, is hereby abolished.

Section 2. Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of 1961, is hereby expressly repealed.

Section 3. The office of Deputy Solicitor, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and which was abolished by Act No. 418, H. 908, Section 18 of the Acts of the Legislature of 1961, is hereby recreated.

Section 4. The Deputy Solicitor of DeKalb County, Alabama, shall receive an annual salary of Forty-Eight Hundred Dollars (\$4800.00), Payable in equal monthly installments out of the County Treasury.

Section 5. That all laws or parts of laws in conflict with this act are hereby repealed.

Section 6. The provisions of this act is severable, and if any part or section thereof is declared unconstitutional or invalid, that fact shall not destroy the constitutionality of this act except as to that part or section.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ben M. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 19, 1963, December 26, 1963 and January 2, and January 9, all in the year 1964.

BEN M. SMITH.

Sworn to and subscribed before me this 29th day of July, 1964.

GLORIA R. FORTSON,
Notary Public.

By Messrs. Givhan, Horton, Hawkins, Robison (Pickens), Nichols, Allen, Smith, Evans, Reynolds, Montgomery, Lolley, Clark, James, Carter, Cooper and Tyson:

S. 86. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Committee on Public Roads and Highways.

By Mr. Givhan:

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

Committee on Local Legislation.

By Mr. Givhan:

S. 88. To amend further Code of Alabama 1940, Title 37, Section 440, in relation to the compensation of the mayor of any city having a population of not less than 28,000 nor more than 29,000.

Committee on Local Legislation.

By Mr. Montgomery:

S. 89. Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Greene County the members of the county board of registrars shall each receive five dollars per day to be paid by the county and disbursed on order of the judge of probate for each days' attendance of the registrar upon the sessions of the board. The per diem pay provided for herein shall be payable from the general funds of the county and shall be in addition to the compensation of registrars payable by the State as prescribed in the act approved September 30, 1947, and amended by an act approved September 12, 1951.

Section 2. The provisions of this act are cumulative.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Greene County Democrat, a newspaper of general circulation published in Eutaw, Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 20, Feb. 27, Mar. 5, and Mar. 12, all in the year 1964.

RICHARD K. MARTIN.

Sworn to and subscribed before me on Aug. 3, 1964.

GENEVA L. MATTISON,
Notary Public.

By Mr. Montgomery:

S. 90. Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

Be It Enacted by the Legislature of Alabama:

1. The Court of County Commissioners of Greene County, or other like governing body of the county, is hereby authorized and empowered to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law, which additional deputy sheriff shall hold office at the pleasure of the Sheriff of Greene County.

2. Such additional deputy sheriff shall be paid as compensation not less than Two Thousand, Four Hundred (\$2,400.00) Dollars per annum, nor more than Four Thousand, Eight Hundred (\$4,800.00) Dollars per annum, to be paid in twelve equal monthly installments out of the general funds of Greene County, as determined by the governing body of Greene County. Such additional deputy sheriff shall be eligible to perform the duties of deputy sheriff anywhere in Greene County.

3. All laws or parts of laws which conflict herewith are hereby repealed.

4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, July 18, July 25, and August 1, all in the year 1963.

RICHARD K. MARTIN.

Sworn to and subscribed before me August 5, 1963.

GENEVA L. MATTISON,
Notary Public.

By Mr. Montgomery:

S. 91. Relating to Greene County; providing for the relief of P. T. Martin.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Greene County; providing for the relief of P. T. Martin.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Greene County may in its discretion appropriate from the general funds of the county the sum of \$688.72 for

the relief of P. T. Martin, former coroner of said county, in payment of a just and equitable claim against the county which accrued on account of official duties performed by the said P. T. Martin as coroner, without compensation.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Greene County Democrat, a newspaper of general circulation published in Eutaw, Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 6, 13, 20 and 27, all in the year 1964.

RICHARD K. MARTIN.

Sworn to and subscribed before me on August 3, 1964.

GENEVA L. MATTISON,
Notary Public.

By Messrs. Tyson, Metcalf, Hawkins, Allen, Taylor, Hammond, Carter, Wilson, Lowe, McDow, Lolley and Robison (Montgomery):

S. 92. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Committee on Public Welfare and
Correctional Institutions

By Mr. Tyson:

S. 93. Relating to taxation, providing certain exemptions from the state sales and use taxes.

Committee on Finance and Taxation.

By Mr. Mathews:

S. 94. To make an additional appropriation for payment of expenses of the Legislature.

Committee on Finance and Taxation.

By Messrs. Cooper and Metcalf:

S. 95. To create the office of spiritual guidance counselor for state highway camps.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 96. To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

Committee on Privileges and Elections.

By Mr. Nichols (by request):

S. 97. To divide the State of Alabama into four Congressional Districts.

Committee on Privileges and Elections.

By Mr. Horton:

S. 98. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Committee on Local Legislation.

By Mr. Horton:

S. 99. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 1. Informing the Governor that the Legislature is in session and ready for the transaction of public business.

And the Speaker of the House appointed as a Committee on the part of the House Messrs. Nettles, Thomas and Avery.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Brewer, Albea, Avery, Bailes, Baker (DeKalb), Baker (Madison), Barnett, Bassett, Bethea (B), Bethea (M), Beville, Blanton, Bolton, Boston, Bowers, Branyon, Brown (Jefferson), Brown (Tuscaloosa), Burnham, Burns, Callahan, Camp, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Carr, Casey, Cates, Collins, Cook, Cooper, Cornett, Crawford, Daniel, Davis, Doggett, Dominick, Downing, Drake, Edington, Edwards (Escambia), Edwards (Lowndes), Engel, Etheredge, Faulk, Fields, Fite, Gilmore, Glass, Goldthwaite, Goodwyn, Grouby, Hain, Hankins, Hannah, Harper, Hawkins, Heflin, Hester, Hogan, Holladay, Ingram, Jones (Covington), Jones (Monroe), Little, Locke, McCorquodale, McDermott, Mashburn,

Meade, Meeks, Merrill, Moore, Morrow, Nabors, NeSmith, Nettles, Owens, Paulk, Pennington, Perry, Pierce, Posey, Powell, Pruitt, Rast, Reynolds, Rogers, Salter, Scurlock, Sessions, Slate, Smith, Snell, Steagall, Stembridge, Sullivan, Teel, Thomas, Tuck, Turner (Crenshaw), Turner (Limestone), Turnham, Vacca, Wood, Young:

H. J. R. 4. WHEREAS, we are saddened by the absence of our colleague, The Honorable W. L. Martin, better known as "Doc" Martin, a much beloved and respected member of this House, who, prior to his death last October, was in point of service the oldest member of this body, having served honorably continuously herein since 1939; and

WHEREAS, through his long term of service "Doc" was an ardent believer in and worker for the betterment of Alabama, ever interested in promoting education and the general welfare; but also a real humanitarian who devoted much time and effort to means of improving the facilities and services of the State Hospitals and the Partlow State School, and in reforming our prison system; and

WHEREAS, "Doc's" wife, Vivian, was a frequent and ever welcome visitor at legislative sessions, interested at all times in lending a helping hand to "Doc"; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, THE SENATE CONCURRING, That the Legislature of Alabama laments the death of the Honorable W. L. Martin. We hereby extend to his widow our heartfelt sympathy and assure her that both she and "Doc" are sorely missed.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent by the clerk of the House to Mrs. W. L. Martin.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 4, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Mr. Eddins offered the following Senate Resolution, to-wit:

S. R. 2. BE IT RESOLVED BY THE SENATE OF ALABAMA, that the Secretary of the Senate is hereby authorized and empowered to appoint a Principal Clerk, in addition to those now authorized, to perform such duties as may be designated by the Secretary. The compensation of such Principal Clerk shall be fixed by the Secretary of the Senate in an amount not exceeding that provided for other officers of the Senate and shall be paid in like manner and from the same funds.

And on motion of Mr. Eddins, the Rules were suspended and the Resolution was adopted by the Senate.

ADJOURNMENT

At 3:55 P.M., on motion of Mr. Nichols, the Senate adjourned until Wednesday, August 5, 1964, at 2 o'clock P.M.

SECOND LEGISLATIVE DAY
WEDNESDAY, AUGUST 5, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	James	Reynolds
Allen	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Givhan	Mathews	Robison (Pickens)
Carter	Hammond	McCain	Shelton
Clark	Hawkins	McDow	Smith
Cooper	Hornsby	Montgomery	Tyson
Dumas	Horton	Nichols	Wilson

—31

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams, Metcalf, Oden and Taylor for today.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Hammond:

S. 100. Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The officers appointed to hold elections in DeKalb County shall each be entitled to ten dollars, whether voting machines be used or not, and in addition, the returning officers, shall be entitled to eight cents a mile in going to the courthouse and returning to the place of holding the election. The claims of election officers shall be paid as preferred claims, out of any moneys in the county treasury not otherwise appropriated, on proper proof of service rendered.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

This Bill to be introduced at the next Special Session, or the next regular session which ever one may come first.

To be Introduced by State Senator Kenneth Hammonds.

Jan. 28-Feb. 4-11-18

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ben M. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 28, February 4, February 11, and February 18, all in the year 1964.

BEN M. SMITH.

Sworn to and subscribed before me 25th day of February, 1964.

MAUDE C. DAVIDSON,
Notary Public.

By Mr. Hammond:

S. 101. To provide for compensation of jurors in DeKalb County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
DeKALB COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at the next special or regular session, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for compensation of jurors in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in DeKalb County are entitled to ten dollars for each day's services, and five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate which states therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and payable out of the county treasury.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ben M. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Times Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 5, May 12, May 19, and May 26, all in the year 1964.

BEN M. SMITH.

Sworn to and subscribed before me June 24, 1964.

GLORIA R. FORTSON,
Notary Public.

By Mr. Allen:

S. 102. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Committee on Local Legislation.

By Mr. Roberts:

S. 103. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

Committee on Local Legislation.

By Mr. Roberts:

S. 104. For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of county commissioners, board of revenue, court of county commissioners or other like governing body of Madison County may appropriate from any funds in the county treasury not otherwise appropriated the sum of \$469.85 for the relief of Willie B. Williams, to reimburse him for medical and hospital expenses incurred by him for the treatment of injuries sustained on or about October 23, 1963, when he was involved in an accident while employed by the county as a patrol operator. Such accident occurred under such circumstances that the county is morally and justly obligated to respond in damages; but the said Willie B. Williams has no legal recourse for the collection thereof.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on March 6, March 13, March 20, and March 27, all in the year 1964.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me March 28, 1964.

OPAL H. DILWORTH,
Notary Public.

By Mr. Roberts:

S. 105. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Committee on Local Legislation.

By Mr. Roberts:

S. 106. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2 (b), Act No. 100, Second Session 1959.

Committee on Finance and Taxation.

By Mr. Roberts:

S. 107. To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, Alabama, shall have power to establish, maintain and operate, within the limits of such county, additional offices or places of business. Such bank before the establishment of any such additional office or place of business shall first secure the consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, and shall be considered as cumu-

lative authority and shall not operate to repeal or amend any law now in effect in such county.

Jan. 20, 27, Feb. 3 & 10, 1964

STATE OF ALABAMA

MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on January 20, 27, February 3 and 10, 1964.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11 day of February, 1964.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1967.

By Messrs. Smith, Robison (Pickens), Reynolds, Dumas, Robison (Montgomery), Montgomery, Allen, Lolley, Hawkins, Wilson, Brannan and Tyson:

S. 108. To amend further Code of Alabama, Title 13, Section 57, in relation to the compensation of the clerk of the Supreme Court.

Committee on Finance and Taxation.

By Messrs. Smith, Robison (Pickens), Reynolds, Dumas, Robison (Montgomery), Allen, Lolley, Hawkins, Wilson, Brannan, Montgomery and Tyson:

S. 109. To create the office of Supernumerary Clerk of the Supreme Court of Alabama, and to prescribe the duties, term and salary of such officer.

Committee on Finance and Taxation.

By Messrs. Smith, Robison (Pickens), Reynolds, Dumas, Robison (Montgomery), Montgomery, Allen, Lolley, Hawkins, Wilson, Brannan and Tyson:

S. 110. To amend Code of Alabama, Title 13, Section 62, in relation to the compensation of the reporter of decisions of the Supreme Court and Court of Appeals of Alabama.

Committee on Finance and Taxation.

By Mr. Carter:

S. 111. To allow the Board of Revenue of Jackson County to authorize the Sheriff of Jackson County to employ an additional deputy to be known as a County Criminal Investigator; defining his powers and duties, and fixing his compensation.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and its passage and enactment sought:

AN ACT

To allow the Board of Revenue of Jackson County to authorize the Sheriff of Jackson County to employ an additional deputy to be known as a County Criminal Investigator; defining his powers and duties, and fixing his compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Jackson County shall be allowed to authorize the Sheriff of Jackson County to employ an additional deputy sheriff, which deputy shall be designated as a County Criminal Investigator. Such Investigator shall have all the powers and duties and be subject to all conditions as are Deputy Sheriffs under the general laws of this state, and shall be subject to the supervision and control of the Sheriff at all times.

Section 2. When such Investigator shall be authorized by such Board of Revenue and employed by the Sheriff, his compensation shall be fixed by the Board of Revenue at not less than \$350.00 per month and not more than \$450.00 per month to be paid out of the General Fund of the County as other deputies are paid.

Section 3. All other laws or parts of laws in conflict with this act are hereby repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FRED J. BUCHHEIT, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the THE SENTINEL-AGE, a newspaper of general circulation published in JACKSON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18, July 25, Aug. 1, and Aug. 8, all in the year 1963.

FRED J. BUCHHEIT.

Sworn to and subscribed before me Aug. 9, 1963.

EVELYN TUBB,
Notary Public.

My commission expires 5 Nov., 1966.

By Mr. Carter:

S. 112. To provide for a supplemental salary to be paid by counties to the Register of a one-county Judicial Circuit, which County has a population under 500,000, and having two Courthouses where Circuit Court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

Committee on Local Legislation.

By Messrs. Lowe, Metcalf, Brannan, Montgomery, McDow, Hawkins, Evans, Cooper, Lolley, Clark, Hammond, Carter, Bentley, James, Taylor, Reynolds, Allen, McCain, Robison (Pickens), Tyson, Givhan, Oden, Horton and Smith:

S. 113. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as

a state educational institution, and making an appropriation in furtherance of such purpose.

Committee on Finance and Taxation.

By Mr. Roberts:

S. 114. To authorize additional meetings with pay for boards of registrars and jury commissions; to set the conditions under which such meetings may be held; to authorize county governing bodies and the state to expend funds for equipment and clerical assistance for boards of registrars and jury commissions; and to authorize the state to provide legal assistance as needed to carry out the purposes of this act in preventing registration or jury service of persons not qualified under state laws.

Committee on Privileges and Elections.

By Mr. Roberts:

S. 115. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

Committee on Municipalities and
Municipal Organizations.

By Mr. Roberts:

S. 116. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the payment of the compensation of members and chairman of the county governing body.

Committee on Local Legislation.

By Mr. Roberts:

S. 117. To amend the title to and Sections 1 and 2 of Act No. 756, adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

Committee on Municipalities and
Municipal Organizations.

By Mr. Givhan:

S. 118. To define and provide for the punishment of disorderly conduct.

Committee on Judiciary.

By Mr. Givhan:

S. 119. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

Committee on Finance and Taxation.

By Mr. Reynolds:

S. 120. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Local Legislation.

By Mr. Reynolds:

S. 121. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having

populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Wilson, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gilchrist:

S. 4. Proposing an amendment to the Constitution of Alabama relating to the issuance and sale of revenue bonds by counties.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Gilchrist:

S. 6. Proposing an amendment to the Constitution of Alabama requiring approval of the qualified electors of the state prior to the issuance and sale of revenue bonds.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Clark and Lolley:

S. 71. Proposing an amendment to the Constitution of Alabama in relation to the eligibility of certain state officers to succeed themselves in office.

The above Bill was read a second time at length as required by the Constitution.

Mr. Clark, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Eddins (without recommendation):

S. 67. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

Mr. Allen, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Horton, Hawkins, Robison (Pickens), Nichols, Allen, Smith, Evans, Reynolds, Montgomery, Lolley, Clark, James, Carter, Cooper and Tyson:

S. 86. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Mr. Evans, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Brannan, Evans, Eddins, Tyson and Metcalf:

S. 62. To provide for a survey of the mineral, water and petroleum resources of the counties within the Alabama, Tombigbee and Mobile River basins, and for making and expending an appropriation for the purposes of this Act and to provide an effective date therefor.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dumas:

S. 16. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

By Mr. Dumas:

S. 17. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

By Mr. Dumas:

S. 18. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

By Mr. Dumas:

S. 19. To amend the Title and Section 1 of Act No. 663, S. 132, approved September 6, 1961 (Acts of 1961, p. 827) entitled "An Act to provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a com-

mission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers: Providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections: Providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast: Designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor: Prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections."

By Mr. Dumas (with notice and proof):

S. 20. To establish an Inferior Court in Precincts 9, 10, 21 and 42 in Jefferson County Ala. and in all other precincts lying within or partly within the City of Birmingham, Ala. except Precincts 29, 45 and 52 in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory and with concurrent jurisdiction with all other justices of the peace and inferior courts in the Birmingham Division of Jefferson County, Alabama, to define the jurisdiction and powers of said court, the judge, clerks and other officers thereof: to provide for a place of holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary.

By Mr. Dumas (with notice and proof):

S. 21. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

By Mr. Dumas:

S. 22. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

By Mr. Dumas:

S. 23. To amend Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, Acts of Alabama 1951, page 1579, et seq., as heretofore amended.

By Mr. Dumas:

S. 24. To amend Act No. 556, of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, page 1376 et seq.

By Mr. Dumas:

S. 25. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of Judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

By Mr. Dumas:

S. 26. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent federal census.

By Mr. Dumas:

S. 27. To apply in and only in each city in this State having a population of 300,000 or more, according to the last or any subsequent decennial Federal census; to provide for the creation of the office of City Magistrate and the appointment of City Magistrates: to define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest.

By Mr. Dumas:

S. 28. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

By Mr. Dumas (with notice and proof):

S. 29. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, pages 1250, et seq.

By Mr. Dumas:

S. 30. To provide for and fix the sum of three hundred dollars per month as an allowance for expenses for the Mayor or other Chief Executive Officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent Federal census for which he shall not be required to file an accounting.

By Mr. Dumas:

S. 31. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

By Mr. Dumas:

S. 32. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

By Mr. Dumas:

S. 33. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Dumas:

S. 34. To provide for the compensation to be paid the Deputy Circuit Solicitor, who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

By Mr. Dumas:

S. 35. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

By Mr. Dumas:

S. 36. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

By Mr. Dumas (with notice and proof):

S. 37. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

By Mr. Dumas (with notice and proof):

S. 38. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regular the payment of the salaries of said judge.

By Mr. Dumas (with notice and proof):

S. 39. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

By Mr. Dumas:

S. 40. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Dumas:

S. 41. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Dumas:

S. 42. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

By Mr. Dumas:

S. 43. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

By Mr. Dumas (with notice and proof):

S. 44. To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

By Mr. Dumas:

S. 45. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

By Mr. Dumas (with notice and proof):

S. 46. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

By Mr. Dumas:

S. 47. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last

or any subsequent federal census, and to provide for the payment thereof.

By Mr. Dumas:

S. 48. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

By Mr. Dumas (with notice and proof):

S. 49. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

By Mr. Dumas:

S. 50. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Dumas:

S. 51. To provide that the governing body of any city in the State having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

By Mr. Dumas:

S. 52. To amend Section 3 of Act No. 695 of the 1951 Legislature.

By Mr. Dumas:

S. 56. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

By Mr. Gilchrist (with notice and proof):

S. 5. Relating to the Municipality of Decatur, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the City of Decatur, Alabama.

By Mr. Nichols:

S. 8. To regulate the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000.

By Mr. Nichols:

S. 9. Relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of a clerk for the board of registrars whose compensation shall be paid by the county.

By Mr. Nichols:

S. 10. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one county which has a population of not less than sixty-five thousand (65,000) nor more than ninety-five thousand (95,000), according to the most recent Federal decennial census.

By Mr. Nichols:

S. 11. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

By Mr. McCain:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

By Mr. Wilson:

S. 15. Relating to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

By Mr. Taylor (with notice and proof):

S. 61. To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

By Mr. Taylor (with notice and proof):

S. 64. To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

By Mr. Taylor:

S. 65. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body of all counties having populations of not less than 24,525 nor more than 24,675.

By Mr. Taylor (with notice and proof):

S. 66. For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

By Mr. Bentley:

S. 69. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

By Mr. Bentley:

S. 70. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

By Mr. Reynolds:

S. 74. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

By Mr. Givhan:

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

By Mr. Montgomery (with notice and proof):

S. 89. Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

By Mr. Montgomery (with notice and proof):

S. 90. Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

By Mr. Montgomery (with notice and proof):

S. 91. Relating to Greene County; providing for the relief of P. T. Martin.

By Mr. Horton:

S. 98. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

By Mr. Horton:

S. 99. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

By Mr. Lolley:

S. 73. To apply in all counties having populations of not less than 30,550 nor more than 31,000, regulating the compensation of members of the county governing body.

Mr. Clark, Vice Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mathews:

S. 94. To make an additional appropriation for payment of expenses of the Legislature.

By Mr. Dumas:

S. 55. Relating to state revenue; further prescribing deduction of certain charitable contributions or gifts in computing individual and corporate state income tax liability.

By Messrs. Cooper and Metcalf:

S. 95. To create the office of spiritual guidance counselor for State highway camps.

By Messrs. Nichols, Robison (Montgomery), Horton, Dumas, Brannan and Smith:

S. 78. To make an appropriation to the use of the White House Association.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison (Montgomery):

S. 77. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

By Mr. Horton:

S. 2. Proposing a constitutional amendment relative to an apportionment of the senate of the legislature of Alabama.

The above Bill was read a second time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rules Committee:

H. J. R. 5. Memorializing Congress to propose an amendment to the Constitution of the United States relative to apportionment of state legislatures.

WHEREAS the U. S. Supreme Court has ruled recently that both houses of state legislatures must be elected on an equal population basis; and

WHEREAS the decision struck down the time-honored practice for each State to organize its own legislative body in that manner which will best serve the people of the particular State concerned; and

WHEREAS these decisions strike at the very heart of the type of representative government which existed in this country in the days of colonial government long before the adoption of the Constitution of the United States and from which the present organization in the Congress and the state legislatures was copied; and

WHEREAS this body does not believe that it is equitable or in the best interest of the people of the entire country to apply a different and more drastic formula for apportioning representatives of the various legislatures of the States than the U. S. Constitution specifies for both houses of the Congress; and

WHEREAS the only recourse the States and the people have in preserving some discretion as to how to balance the varied interests and geographical considerations within their boundaries is through action by the Congress; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the formula for determining the representation in the state legislatures should be sufficiently flexible to produce a legislative body reflecting the regional and local values which the State may deem appropriate; and

BE IT FURTHER RESOLVED That this body memorializes the Congress of the United States to give prompt consideration to proposing to the several States for ratification an amendment to the Constitution of the United States which will unequivocally empower a State, at its option, to achieve equality of representation in its legislative body by utilizing population in apportioning one house of its legislature and any criteria as in its wisdom may be in its individual best interest in apportioning the other house of its legislature, thereby permitting the States to retain the pattern of governmental structure which has withstood the test of time and has proven its merits both in the national government and in the States; and

BE IT FURTHER RESOLVED That the several other States are urged to join this State in this petition; and

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Speaker and Clerk of the House of Representatives of the United States, to the President and Secretary of the Senate of the United States and to the clerks and secretaries of the legislative bodies of all other States.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 5, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rules Committee:

H. J. R. 6. WHEREAS, on Monday, June 15, 1964, the Supreme Court of the United States handed down its decision in eight legislative apportionment cases from six states, including Alabama; and

WHEREAS, the Court declined to lay down specific standards for legislative apportionment, or to speculate as to the remedies available to the lower federal courts in the case of the failure of the legislature to act; and

WHEREAS the Court noted that a State might legitimately desire to consider insuring some voice to political subdivisions, as political subdivisions, or attempt to justify disparities from population based representation on legitimate considerations incident to the effectuation of a rational state policy; and

WHEREAS the Alabama reapportionment cases are still pending on application for rehearing and the Legislature may yet have time to act on a constitutional apportionment at its 1965 regular session before any drastic action is taken by the special district court in which the cases are now being pressed; be it

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an interim committee shall be named to study this important matter and report its findings, conclusions, and recommendations to the two houses at the next regular session; that the committee shall consist of five members of the House, appointed by the Speaker, four members of the Senate, appointed by the President of the Senate, together with the Speaker and the President.

RESOLVED FURTHER, That the committee shall select a chairman and vice chairman from among their number, and shall hold such hearings, examine such witnesses, and conduct such studies as it considers necessary and proper in the performance of its duties. The members of the committee shall be entitled to their usual legislative compensation and expenses when engaged on committee business, which shall be paid from funds appropriated to the use of the Legislature on certificate of the committee chairman.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 6, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Jones (Covington):

H. J. R. 7. WHEREAS Governor George Wallace with his rare insight into the recognition of problems, his ability to analyze them, his courage to face them, and his perseverance in seeking their solutions has been of inestimable value to this nation; and

WHEREAS Governor Wallace at great personal sacrifice has given unstintingly of his seemingly inexhaustible supply of energy and talent in awakening the people of this country to certain dangerous trends of government and usurpation of powers; and

WHEREAS Governor Wallace while standing as a champion of state sovereignty and a symbol of constitutional government, has been recently engaged in a national political campaign which has focused nationwide attention on Alabama and her governor; and

WHEREAS, though subjected to wholly unjustified criticism, vicious barbs, personal invectives, and sometimes exposed to bodily harm in hostile surroundings, Governor Wallace has consistently conducted himself with poise and dignity, refuting his antagonists with clear logic and kindly good humor, thereby winning many converts to his cause; and

WHEREAS Governor Wallace has seen fit to withdraw from the race for the presidency of the United States, having accomplished much of his purpose and having the best interests of this State and nation closest to his heart; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we do heartily commend Governor Wallace for his actions as conservator of constitutional government, and express our heartfelt gratitude to him for the manner in which his unswerving dedication has brought honor and credit to this State and to the South. We assure him that the people of Alabama and increasing numbers throughout this nation wish him every success in his continued fight to defeat the iniquitous civil rights bill of 1964.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, H. J. R. 7, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Jones (Covington):

H. J. R. 8. WHEREAS, Miss Katy Sue Meredith of Andalusia, Alabama was crowned National Maid of Cotton in Memphis, Tennessee in December 1963; and

WHEREAS this title, the most dignified of all such designations of beauty, was the culmination of a long series of titles of beauty in local pageants and civic projects including the titles of Miss Andalusia, High School Year Book Beauty, Key Club Sweetheart, and Covington County Maid of Cotton in 1962 and 1963; and

WHEREAS such titles attest not only to the pulchritude of Miss Meredith but also to her personal charm, winning ways, and sweetness of character which had long been common knowledge in her home town, but are now recognized nation-wide; and

WHEREAS Miss Meredith is also blessed with a keen mind which she has studiously cultivated as evidenced by her election to the Junior Honor Society in the eighth grade, later to the Senior Honor Society, and to Alpha Lambda Delta at Alabama College where she has been on the dean's list for her four years in college; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we congratulate Miss Meredith for her many accomplishments, for her election as the 1964 National Maid of Cotton, and for the most able manner in which she has performed her duties as spokesman for The National Cotton Council during her tour around the world.

BE IT FURTHER RESOLVED, That we invite Miss Meredith at her convenience to address a few remarks to a joint session of the two houses of the Legislature, provided her busy schedule permits.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, H. J. R. 8, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Jones (Covington):

H. J. R. 9. WHEREAS Stephen Reese White, former member of the House of Representatives from Covington County, passed away at his home in Montgomery on December 7, 1963, after a lifetime of public service; and

WHEREAS Mr. White, who was born and reared in Birmingham was a devoted alumnus of Auburn University from which institution he had been awarded both the B.S. and M.S. degrees; and

WHEREAS Mr. White served his country with distinction during time of war in the United States Navy as Lieutenant (J.G.) from 1943 to 1945; and

WHEREAS Mr. White, being a dedicated exponent of public education, taught in the schools of Covington County where he was later superintendent of education, continued to advance the cause of education during his term of office in the legislature, until his resignation to accept the directorship of the division of administration and finance in the state department of education; and

WHEREAS Mr. White throughout his lifetime was an exemplar of the true public servant in the highest tradition, bringing credit both to himself and to his state, meanwhile endearing himself to all his associates by his ease of manner and consideration of others; and

WHEREAS Mr. White is survived by his wife, the former Mary

Elizabeth Terry of Red Level, and two daughters, Mrs. Robert Tarte of Huntsville and Miss Marcia Ann White of Montgomery; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that this body mourns the death of Mr. White and extends its sincere sympathy to the members of his bereaved family to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, H. J. R. 9, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Edington, Fields, Rogers, Engel, Hogan, McDermott and Mashburn:

H. J. R. 10. WHEREAS, there did occur on the fifth day of August of 1864 a major engagement between the Confederate States Navy and the Union Navy in Mobile Bay, and

WHEREAS, such engagement is generally considered by Naval historians as constituting a milestone in modern naval tactics, and

WHEREAS, the City of Mobile has planned numerous activities to commemorate this historic event of 100 years ago, including the unveiling of a commemorative plaque, the creation of a diorama depicting the Battle of Mobile Bay, and various ceremonies in memory of the fallen heroes of this engagement, now therefore

BE IT RESOLVED THAT, the House of Representatives of the State of Alabama, the Senate concurring, recognize and commemorate this great naval engagement and commend the City and County of Mobile and the State of Alabama and their various historic and civic bodies for their efforts to memorialize the Centennial of this great chapter in Naval and Confederate history.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Rules were suspended and the Resolution, H. J. R. 10, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Edington, Rogers, Downing, Fields, Hogan, McDermott, Engel, Smith and Mashburn:

H. J. R. 11. WHEREAS, during the term of the Honorable George C. Wallace as Governor of the State of Alabama enormous progress has been made in the construction of highways in this State, and

WHEREAS highway development in the Mobile County area during such period has exceeded all previous records, principally as a result of Governor Wallace's cooperation and assistance, and

WHEREAS there is to be constructed under Mobile River a vehicular tunnel in connection with the Interstate 10 Project, which said tunnel has not yet been officially named,

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that the proposed vehicular tunnel under Mobile River which is to be constructed in connection with the Interstate 10 Project be and the same is hereby named and designated as the George C. Wallace Tunnel.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Rules were suspended and the Resolution, H. J. R. 11, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Goodwyn, Nabors and Brewer:

H. J. R. 12. WHEREAS, United States Senator Everett M. Dirksen has recently introduced a bill relating to statutory reapportionment of state legislative bodies a provision of which provides for a stop-gap stay of federal court action until the Congress can submit and the states have had an opportunity to ratify a constitutional amendment authorizing the "little federal system" of representation in state legislative bodies; and

WHEREAS, such bill is scheduled for hearing before the United States Senate Judiciary Committee at an early date,

NOW THEREFORE BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That the Alabama Legislature does hereby heartily approve any congressional action which would stay federal judicial interference on reapportionment questions until the states may vote upon a constitutional amendment designed to restore to the states and to the people the inherent right to structure their own state governments and to allocate its powers in the manner the people may choose.

BE IT FURTHER RESOLVED, That we urge Senators Lister Hill and John Sparkman to exercise their utmost influence to promote favorable committee consideration and ultimate passage of the above bill as an item of first priority over all other legislation pending before the Congress.

BE IT FURTHER RESOLVED, That a copy of this resolution be wired to Senators Hill and Sparkman and that a copy thereof be mailed

to all other members of the Alabama Congressional Delegation to the end that they may also exert their influence for passage of the above bill.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 12, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Nettles and Rast:

H. J. R. 13. WHEREAS, Governor George C. Wallace has rendered services of incalculable benefit to the people of Alabama and of the Nation as a whole by reason of his out-of-state campaigns in courageous and eloquent defense of our constitutional system of government; and

WHEREAS, millions of people throughout the Nation have been alerted to the dangerous trend toward centralization of an omnipotent power in hands of a faceless federal bureaucracy and have found renewed faith and courage to speak out and stand up for traditional value of local government and our economic system of free enterprise; and

WHEREAS, Governor Wallace has conducted his campaign with dignity and consummate skill in the use of clear and incisive debate, sparkling repartee, and complete mastery of subject matter; and

WHEREAS, Governor Wallace has won a grudging respect and admiration of even his bitterest foes and the unbounded admiration of all friends of constitutional government and in so doing has reflected great credit upon himself and the people of the State of Alabama,

NOW THEREFORE BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we heartily endorse and commend Governor Wallace for his leadership and aggressive campaigns out of the State of Alabama in defense of principles and in pursuit of goals we all hold dear and that we endorse his actions and encourage him to continue his fight in any and every form available to him and that we approve and endorse his use of the State airplane in his efforts and urge its continued use by him for these purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 13, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Messrs. Mathews, Adams, Allen, Bentley, Brannan, Carter, Clark, Cooper, Dumas, Eddins, Evans, Gilchrist, Givhan, Hammond, Hawkins, Hornsby, Horton, James, Lolley, Lowe, McCain, McDow, Metcalf, Montgomery, Nichols, Oden, Reynolds, Roberts, Robison (Montgomery), Robi-

son (Pickens), Shelton, Smith, Taylor, Tyson, and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. WHEREAS our highly esteemed and beloved colleague, President of the Senate, Lieutenant Governor of the State of Alabama, our personal friend, James B. Allen will be united in marriage with Maryon Pittman Mullins on Friday, August the seventh, at four o'clock in the afternoon, in the Henry M. Edmonds Memorial Chapel of the Independent Presbyterian Church of Birmingham; and

WHEREAS Mrs. Mullins, being the lovely and gifted daughter of Mr. and Mrs. John D. Pittman, long prominent in industrial and cultural circles of Alabama, is a young lady whose talents have been widely recognized and enjoyed in the society pages of the Birmingham News for which newspaper she has so ably written; and

WHEREAS Lt. Governor Allen, being the son of a former legislator and able attorney, the late George C. Allen, and of the late Mary Ethel Browning Allen of Gadsden, is the only man in the history of this State to be elected twice to the office of Lieutenant Governor, a position for which his statesmanship and amiability so admirably fit him; now therefore

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we congratulate Lieutenant Governor Allen upon his approaching marriage and wish for him and his bride-to-be every happiness in their future.

And on motion of Mr. Mathews, the Rules were suspended and the Resolution was unanimously adopted by the Senate.

Mr. Carter offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that when the two Houses adjourn Thursday, August 6, 1964, they adjourn to meet again Tuesday, August 11, 1964 at 2 o'clock P.M.

And on motion of Mr. Carter, the Rules were suspended and the Resolution was adopted by the Senate.

ADJOURNMENT

At 3:48 P.M., on motion of Mr. Nichols, the Senate adjourned until Thursday, August 6, 1964 at 11 o'clock A.M.

THIRD LEGISLATIVE DAY

THURSDAY, AUGUST 6, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Mr. Levoy Bivens, Minister, Highland Avenue Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Montgomery)
Brannan	Hammond	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Tyson
Eddins	Lolley	Reynolds	Wilson

—31

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams, Allen, Givhan and Metcalf for today.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 4. Relative to adjournment of the two Houses until Tuesday, August 11, 1964, at 2 o'clock.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:
By Mr. Turner (Crenshaw):

H. J. R. 14. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House

and Senate be held at 11:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House, to be named by the Speaker of the House, and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the Speaker of the House named as a Committee on the part of the House Messrs. Goodwyn, Turner (Crenshaw) and Merrill.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 14, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Robison (Montgomery) and Gilchrist.

JOINT SESSION

The hour of 11:30 A.M. having arrived, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor.

The Session was called to order by Honorable James B. Allen, Lieutenant Governor and President and Presiding Officer of the Senate.

A quorum of the Legislature of Alabama was present.

Thereupon, Honorable George C. Wallace was escorted to the Chair and delivered his address to the Legislature of Alabama.

(See House Journal for address by Governor Wallace.)

The purpose of the Joint Session having been accomplished, the Senate returned to its Chamber and was called to order by Honorable James B. Allen, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Montgomery)
Brannan	Hammond	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Tyson
Eddins	Lolley	Reynolds	Wilson

—31

ADJOURNMENT

At 12:16 P.M., on motion of Mr. Mathews and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 11, 1964, at 2 o'clock P.M.

FOURTH LEGISLATIVE DAY

TUESDAY, AUGUST 11, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by the Reverend Charles H. Douglass, Rector, St. John's Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson

—35

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. McCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Allen:

S. 122. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Committee on Local Legislation.

By Mr. Allen:

S. 123. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Committee on Local Legislation.

By Mr. Horton:

S. 124. Relating to imported meat and meat products; to require the proper identification of such meat and meat products when offered for sale within the state; to require identification on bids of such meat and meat products to state institutions; and to provide penalties for the violation thereof.

Committee on Agriculture.

By Mr. Smith:

S. 125. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Committee on Local Legislation.

By Mr. Roberts:

S. 126. To authorize Alabama Education Authority to sell and issue from time to time for the purpose of financing a library building at Alabama Agricultural and Mechanical College not exceeding \$900,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to repeal Act No. 586 adopted at the 1963 Regular Session of the Legislature; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Committee on Finance and Taxation.

By Mr. Shelton:

S. 127. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Committee on Local Legislation.

By Mr. Wilson:

S. 128. To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

Committee on Local Legislation.

By Mr. Wilson:

S. 129. To apply in all counties having populations of not less than 51,000 nor more than 56,000, regulating the compensation of election officers.

Committee on Local Legislation.

By Mr. Dumas:

S. 130. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

Committee on Judiciary.

By Mr. Taylor:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Committee on Local Legislation.

By Messrs. Metcalf, Lolley, Reynolds, Hornsby, Tyson, Robison (Montgomery), Nichols, Hawkins, Oden, Allen, Cooper, McCain, Horton and Mathews:

S. 132. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

Committee on Privileges and Elections.

By Mr. Metcalf:

S. 133. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Committee on Municipalities and
Municipal Organizations.

By Mr. Reynolds:

S. 134. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Committee on Forestry and Conservation.

By Mr. Hammond:

S. 135. To provide for a survey of the mineral, water and petroleum resources of the counties within the Coosa, and Tennessee River basins, and for making and expending an appropriation for the purposes of this Act and to provide an effective date therefor.

Committee on Finance and Taxation.

By Messrs. Carter and Evans:

S. 136. To divide the state into congressional districts and provide for election of members of the house of representatives of the United States by districts; amending Code of Alabama Title 17, Sections 425 and 426.

Committee on Privileges and Elections.

By Mr. Hammond:

S. 137. Relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties.

Committee on Local Legislation.

JOINT SESSION

The hour of 2:15 P.M. having arrived, on motion of Mr. Taylor, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing an address by Miss Katy Sue Meredith, of Andalusia, Alabama, the National Maid of Cotton.

The Session was called to order by Honorable James B. Allen, Lieutenant Governor and President and Presiding Officer of the Senate.

A quorum of the Legislature of Alabama was present.

Whereupon, Miss Katy Sue Meredith was escorted to the Chair and delivered her address to the Legislature.

The purpose of the Joint Session having been accomplished, the Senate retired to its Chamber.

The Senate was called to order by Honorable James B. Allen, Lieutenant Governor and President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:
Adams
Allen
Bentley
Brannan
Carter
Clark
Cooper
Dumas

Eddins
Evans
Gilchrist
Givhan
Hammond
Hawkins
Hornsby
Horton
James

Lolley
Lowe
Mathews
McCain
McDow
Metcalf
Montgomery
Nichols
Oden

Reynolds
Roberts
Robison (Montgomery)
Robison (Pickens)
Shelton
Smith
Taylor
Tyson
Wilson

POINT OF PERSONAL PRIVILEGE

SPEECH BY SENATOR BOB GILCHRIST TO
THE SENATE OF ALABAMA

TUESDAY, AUGUST 11, 1964

Mr. President, Gentlemen of the Senate:

I arise to a point of personal privilege.

The Governor of Alabama called this Legislature into a Special Extra-Ordinary Session for the purpose of re-districting the State of Alabama. If there be any doubt as to why we are here, let me quote a few sentences from the unusual address by the Governor delivered to a joint session of the Legislature on the last legislative day. I here quote the Governor: "I called this Legislature into Session for the purpose of re-districting the State of Alabama. That was the purpose and intent."

Gentlemen, I continue to quote from the address of the Governor: "I did not call the Legislature into Special Session to pass the Succession Bill or to consider it."

Gentlemen, I can draw but the following conclusions from the past week's activities: that either the Governor's Cabinet and his Legislative leaders have broken with the Governor and now refuse to follow his leadership and advice; or, that they have misunderstood what the Governor said. For most certainly, it was the activity of the Governor's Cabinet members and his Legislative leaders that has placed the Succession Bill ahead of the Re-districting Bill in both Houses of the Legislature. This leaves us in the paradoxical situation where we who have been branded as obstructionists are the only ones supporting the wishes and desires of the Governor and, mind you, supporting his wishes against the overwhelming forces of the Governor's Cabinet and his Legislative leaders.

I now call upon the Governor's Legislative leaders and the members of his Cabinet to resolve their differences with the Governor and to follow his leadership and advice. If they do this, I pledge to them my complete cooperation to the end that will accomplish exactly what the Governor has requested; that is, pass a re-districting Bill fair to both the Republicans and the Democrats and to prevent this Legislature from "considering" or "passing" a Succession Bill.

And this, too, as to logic, strikes me as to be in the same category as that famous passage from "Alice in Wonderland":

"And so said the Queen of Hearts to Alice: 'It should be plain as the nose on your face that the further you go to the right, the closer you get to the left; otherwise, my child, how would it be possible to meet oneself coming and going?'"

Gentlemen, with a full measure of sincerity I feel compelled to make a few scattering remarks with reference to the address by the Governor to the joint session on the last Legislative date. I must confess that having been appointed to the committee to invite the Governor to speak to the joint session and having escorted him to the speaker's rostrum and having exchanged pleasantries with him on the way from his office to the House Chamber, I was shocked, hurt and, at first, somewhat angered by his unprecedented attack by name upon members of the Legislative branch of government; but I believe, with reflection, I have been able to place this unfortunate event in its proper perspective. I am not here to vilify, condemn or criticize the Governor for this mistake,

for I know him to be a good man. I know him to be a man who espouses a cause which I believe in with all my heart and soul. I also know him to be a human being with human emotions and, like myself, he has his fair share of what we call temper; but I wouldn't give a tinker's damn for a man who didn't have one. The Governor, being human, like the rest of us, will, and is entitled to make a mistake; so, rather than being here to condemn, criticize and vilify, I am here to forgive, praise and to offer my support to the Governor in building Alabama into the most morally strong, economically sound and politically enlightened State in this Union. This, with honest conviction, I have tried to do throughout my three terms in the Legislative branch of government.

Gentlemen, it is of little consequence that the Governor was in error in stating that we had opposed by filibuster every phase and aspect of his administration. The Senate Journal will speak for itself. It will reveal that as finally written I voted for every Bill in the administration program that was enacted into Law with the exception of the one hundred million dollar bond issue and the large pay-raise bill for the Governor's Cabinet members and the department heads. It is true that I insisted on certain amendments to portions of the Governor's program before I voted for them. In doing so, I felt that I was strengthening the program rather than opposing it. For instance, in the Junior College and Trade School program we insisted on amending that act so that the authority to locate these new educational institutions would be in the State Board of Education rather than that authority being placed in the Governor and his appointed Finance Director. We also insisted that the right to control the biennium appropriations to these new institutions should be vested in the Legislature, as it is with all other educational institutions in Alabama, rather than giving the control of those appropriations to the Governor and his appointed Finance Director as it was proposed in the administration bill.

I am proud to say that this Senate agreed with us and accepted those amendments and that the administration and the House of Representatives concurred in our amendments to the original bill; therefore, I feel, and take great pride in the fact that I supported the Junior College and Trade School Bill.

Gentlemen, I believe that the Journal will show further and that the members of this Senate will recall that in every instance that the power of the Executive Office has sought to be increased by taking away the Constitutional powers and prerogatives of the Legislative branch, that I have risen and vigorously opposed any attempt to strengthen the Executive at the expense of the Legislative branch of government. I love this Body, and I love the Legislative branch of our government. I want to see it strengthened, not weakened. And that brings me to the second reason why I am here today.

I believe that out of the mistake that we have referred to, that some good may come to pass. If out of that mistake there can be a realization by both Houses of this Legislature and by the public of the true relationship between the Executive and the Legislative as envisioned by the Constitution, then this unfortunate event will have served a great purpose. I ask you to look with me for a moment at the Constitution of our beloved State. You will see that Article I, consisting of 36 Sections, is entitled "Declaration of Rights". In these 36 Sections it defines the inalienable rights of free men. It prohibits certain acts by any of the three branches of government. Article II, starting with Section 37, creates the State and County boundaries and brings into being and defines the political subdivisions of this State. Having created that territory, Article III is entitled "Distribution of the Powers of Government". The first Section in Article III is Section 42 which states as follows, and I

quote: "The powers of the government of the State of Alabama shall be divided into three distinct departments, each of which shall be confided to a separate body of magistracy, to wit: Those which are legislative, to one; those which are executive, to another; and those which are judicial, to another."

Then follows Section 43 which states as follows: "In the government of this state, except in the instances in this Constitution hereinafter expressly directed or permitted, the legislative department shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers, or either of them; to the end that it may be a government of laws and not of men."

Article IV, beginning with Section 44, prescribes the powers, duties and prerogatives of the Legislative branch of government. It is the first branch of government as set up by our Constitution. Section 44 states simply, unequivocally, the following: "The legislative power of this state shall be vested in a legislature, which shall consist of a senate and a house of representatives."

I cite these few Sections only to remind us that the framers of this Alabama Constitution foresaw a possibility of the mingling of the responsibilities and the duties of the various departments of government. They felt strong, so strong that they wrote it into the basic law, that neither should attempt to abridge or infringe upon the Constitutional powers and prerogatives of the other. This was good. For fear that we may have forgotten why the founding fathers insisted that the Legislature be the sole and only agency with the power and prerogative of enacting legislation or in commencing amendments to the basic law of this State, let us view for a minute the necessity for such a basic division in the form of our government.

The fear on the part of our fore-fathers who wrote our Constitution grew out of their knowledge of the nature of men. They knew that the men in the decades to come who would be elected to the Executive branch, whether it be President or Governor, would become preoccupied with perpetuating power and prestige that they had acquired. They knew that the Executive, in order to perpetuate and succeed himself in office, would be tempted to yield to all sorts of minority pressures. Their experience had shown them that the Executive always attempted to put together enough minority groups by succumbing to their special interests to make sure that the power he had acquired would be perpetuated. Past and recent history stand as a monument to their wisdom and justification for their fears. The desire to perpetuate the Executive power of the President of the United States, if you please the re-electing to allow him to succeed himself, is the sole reason for the enactment of the damnable Civil Rights Act. And mind you, that this could not have come about if the National Congress, the National Legislative Body, had not meekly surrendered and allowed the will of the Executive to be imposed on the Legislative branch. In one instance, the Executive may attempt to create his sustaining power by appealing to a combination of the Negro vote, the foreign vote, or Labor vote. In another instance, he may attempt to sustain himself by appealing to the special interests of the farm vote, the industrial group, or the so-called white-collar group. In each and every instance, legislation affecting the interests of any special group should be judged in the light of how it will affect the people as a whole and not just the particular special group who might be pressing for such legislation. History has shown us quite clearly that the Executive, over the long run, will not judge the type of legislation that we are discussing in the light of the best interests of all of the people. On the other hand, the Legislative branch which is made up of many

different individuals from many different localities with many different philosophies of government. You may have a senator from one county who wouldn't give a tinker's damn about the demands of A.F. of L., C.I.O., and from another county you might have a man who is completely in accord with the demands of A.F. of L., C.I.O. This is equally true with every organization such as the Farm Bureau and the Associated Industries or any organization that represents specially and particularly its membership. If the Legislative branch of government remains independent and strong and is allowed to express its true belief, that is, if the Legislative branch does not fall upon its knees before an all-powerful Executive and surrender its Constitutional responsibility, then and only then will the different interests of the different economic groups in our society be judged and balanced by the different individual philosophies existing in any Legislative body and the result, if the Legislature is allowed to express its independent will, will be something that is good for all the people as a whole.

I have stated before, and I state to you again, that if the liberties of the people of this Nation are to be preserved there must be a return to the independency of the Legislative from the Executive. The State Legislative and the Federal Congress must get up off of their knees and assert their independence from the Executive; otherwise, we are witnessing the final destruction of our individual liberty and of our free enterprise system that has served us so well for so long. It is because I believe with all that is within me that it is to the best interest of our State over the long haul that the Legislative branch be strengthened, not weakened, that I have opposed what is commonly called a Succession Bill. There is nothing personal in my opposition to it. I would oppose it if Ryan DeGraffenried, John Patterson, or Bob Gilchrist were Governor. I shall oppose it today, tomorrow, and forever.

POINT OF PERSONAL PRIVILEGE

The foregoing address by Mr. Gilchrist delivered to the Senate under Point of Personal Privilege was ordered spread upon the Journal.

POINT OF PERSONAL PRIVILEGE

ADDRESS BY HONORABLE VAUGHAN HILL ROBISON

Mr. President and Gentlemen of the Senate, I have made a brief study of our State Government's history, searching for some parallel in the past whereby a Governor attacked by name members of the Legislature who were not rubber stamps on every phase of his program. I would imagine that there is some precedent for such action, but I cannot find it. Perhaps the statement of a former Governor when he said, "A fist full of senators from a fist full of counties are blocking my program", can be considered precedent. I am sure, Mr. President, you will recall this. I believe you were one of that fist full referred to.

My natural egotistical instinct prompts me to answer in kind the unjustifiable and unprovoked personal attack on me on last Thursday by the Governor of this State. Perhaps it was his natural egotistical instinct which the Governor could not restrain.

The realization of the likely defeat of the Succession Bill must have been most provocative to the Governor. You gentlemen of the Senate know that there are more than just the four named senators who oppose the Succession Bill.

Considered judgment and considerable restraint compel me, however, to reply with facts to the Governor's impassioned distortions of truths.

I was elected by the people of Montgomery County to represent them as best I know how. I believe my obligation is to them and to all the people of Alabama, to represent them in the Legislative branch of our State government. So long as I am privileged to serve in this Senate, I shall use my deepest and most prayerful thoughts and my sincerest efforts; yes, even my voice, to discharge my obligations to the people of Alabama as I see my duty. I have never been a rubber stamp for any Administration and I have no intention of becoming one now.

The record of every senator is recorded in the Journal of the Senate. My record for the 1963 Regular Session is written. I have considered the measures that have come before us based on the merits of the bill and have not given primary consideration to the question of whether the Administration favored or opposed the issue. However, the record will show that I have voted for and assisted with the passage of most of the Administration's programs. But if my vote on issues is to be determined by the wishes of the Governor's office, then, I can serve no useful purpose here. If the same factor, the wishes of the Governor's office, is to be the guideline for all of the members of the Senate; then, the Senate can serve no useful purpose. Are we expected to abandon the Legislative Branch of government to the Executive Branch?

We have all heard the clarion call for a return to the system of checks and balances between the three branches of the federal government, the legislative, the judiciary and the executive; as provided for by our founding fathers in the Constitution of the United States. Gentlemen, Constitutional Government must start at home. I am old fashioned enough to believe that there is a system of checks and balances provided for in the Alabama Constitution between the legislative, the executive and the judicial branches of State government. I support, and have supported, this Administration's position of attack on the encroachment by the federal judiciary on the other branches of government and on the rights of the states and on the rights of the individuals of the states, but I oppose this Administration's efforts to intimidate, threaten and coerce the Legislative Branch of the State government to make it subservient to the Executive Branch of the State government. Is the State Legislature to be required by whatever means he sees fit, to do the bidding of the State's Chief Executive? I believe my position is consistent, based on principle. However, I can find no consistency in this Administration's position.

I support the Administration's position in favoring the right of unlimited debate by those United States Senators led by that distinguished Southerner, Senator Richard Russell, as they opposed the nefarious Civil Rights Bill. I applaud the efforts of those United States Senators from the South who filibustered the Civil Rights Bill until they were silenced by cloture. I believe the Succession Bill could at some future date have as disastrous a result on the State Government of Alabama as the Civil Rights Bill will have on the governments of the various states of the Union. This Succession Bill will apply not only to all of the present Constitutional officers but to all future ones. The bill is a drastic departure from Constitutional principles that have served us well for more than six decades.

Those State Senators who now oppose this Succession Bill should be applauded for their actions just as those Southern United States Senators who opposed the Civil Rights Bill were applauded for their actions.

Again, in this second instance, I believe my position is consistent, based on principle. However, I can find no consistency in the Administration's position.

The President as Chief Executive officer of the United States used all of the powers of his person and his office to pass the Civil Rights

Bill. The Governor, as the Chief Executive officer of the State of Alabama, may have given some the impression on last Thursday that he was using the powers of his person and office to crush the opposition to the Succession Bill. I prefer to take the Governor at his word when he said, "I am not pushing the Succession Bill."

As has been stated by the Governor, this special session was called for the purpose of redistricting. I favor redistricting. If I may refer to the Record, on last Wednesday I voted in the Committee to report a redistricting bill to the floor of this Senate. The bill is on the Senate calendar today. Again, if I may refer to the Record, I favored a redistricting bill in the 1963 Regular Session. Senator Gilchrist, McCain and Hornsby likewise favored redistricting. We did all we could to pass such a bill, the Governor's statement to the contrary notwithstanding. You, the members of this Senate, you, Mr. President, know my position and efforts to pass a redistricting bill. Some of the Administration's leaders in this Senate have verified in writing our efforts to pass a redistricting bill in the Regular Session. The Governor's statement that we are responsible for no redistricting bill passing is based either on misinformation or lack of accurate information.

I would like to join with the Governor in urging the Senate and the Legislature to get on with its business, the business for which it was called, redistricting. When this business is finished we should adjourn. Time is of the essence. The Governor has stated, "I did not call the Legislature into special session to pass the Succession Bill or to consider it."

The Governor said he does not want any filibusters to develop on this Succession Bill. I join with the Governor in this wish. To the end that we may get on with redistricting without the threatening cloud of succession hanging over us; to the end that a filibuster on this Succession Bill may be avoided, and to the end that you will accede to these two announced wishes of the Governor, I urge you to vote to indefinitely postpone this Succession Bill.

In my remarks, I have not debated the merits or lack of merits in the Succession Bill. I hope that it will not be necessary for me to take the time of this Senate to do so. Let this Senate speak out in a clear and unmistakable voice by its vote on the motion to indefinitely postpone the Succession Bill, showing by that vote that it, too, desires to get on with the business of redistricting and avoid a filibuster.

POINT OF PERSONAL PRIVILEGE

The foregoing address by Mr. Robison (Montgomery) delivered to the Senate under Point of Personal Privilege was ordered spread upon the Journal.

POINT OF PERSONAL PRIVILEGE

AN ADDRESS BY SENATOR ERNEST C. (SONNY) HORNSBY ON THE FLOOR OF THE SENATE ON AUGUST 11, 1964

Mr. President and Gentlemen of the Senate:

I approach the microphone upon the floor of this Senate this day for the purpose of answering certain charges made against this Senate by the Chief Executive Officer of the State of Alabama. At the out-set might I state that I speak as one who supported George C. Wallace for Governor three times during the year 1962. It is my hope that nothing that I might say here will be interpreted as a personal attack upon our Governor. However, it is my purpose here to defend our time-honored system of legislative procedure and to defend those fundamental processes that have made this nation and state great.

Gentlemen, I speak to you today upon the assumption that we all recognize that a representative republic is predicated upon certain premises known as checks and balances and separation of powers.

Gentlemen of the Senate, in the year 1962 I was elected to this august body by an overwhelming majority of the people of Tallapoosa and Elmore Counties at the age of twenty-five years, the constitutional minimum for election to this office, and in my race for State Senator, my platform was very simple—I promised the people of my two counties that if I were elected to the Senate that I would be unfettered, untied, and uncommitted to anyone or thing except the people of Tallapoosa and Elmore Counties. I stated that “no man can serve two masters”, and so therefore, my master is what I truly believe in my heart, soul, conscience, and good business judgment to be in the best interest of my people.

Gentlemen of the Senate, I quote these facts to you not in an egotistical or braggart manner, but simply to point out that I know my people in my District, and any position that I take with respect to any matter before this Senate is in my judgment in the best interest of the people of Tallapoosa and Elmore Counties.

Edmund Burke, the great English legislator said over a century and a half ago addressing himself to a legislator's duty to his people and I quote: “but his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.”

In my judgment, Gentlemen of the Senate, this great English legislator was right, and the duty of any public official, and especially a legislator, worthy of his oath of office is to do that which his sound judgment, heart, soul, and conscience dictates. That I have tried to do.

Gentlemen, in 1926 in the case of *Myers vs. the United States* the great Justice Brandies said and I quote: “The doctrine of separation of powers was adopted, not to promote efficiency, but to preclude the exercise of arbitrary power . . . not to prevent friction, but, by means of the inevitable friction . . . to save the people from autocracy.” Gentlemen, it is my thinking and opinion that the words of the late Justice Brandies apply this day in this Senate just as they applied in his day. Our founding fathers in setting up and formulating our form of government set up the legislative branch of government to act as a check on the executive. The founding fathers knew, of course, that with this system there would not be complete harmony and unity at all times, harmony and unity not being their objective, for without debate, without differences of opinion, and without friction, we would only have one branch of government in effect. So therefore, for this great system to work in such a manner that all citizens will be represented whatever their background, interest, or occupation might be, there must be friction, debate, and differences of opinion between the several branches of our government, and especially between the legislative and executive.

And so looking back over the history of this great country, we see that from George Washington's administration as President down through Lyndon Baines Johnson, there have been great debates, great frictions, and great things done by the government of this country.

You will recall with me that during Andrew Jackson's administration there were the great debates in the Senate of the United States. There were powerful men in the Senate such as Daniel Webster and Henry Clay who expressed a different viewpoint from the President a

high percentage of the time. And then again during James Madison's reign as President of the United States, we saw the fine work of the "young war hawks" of the West again led by that great statesman, Henry Clay.

And then, of course, there were Steven A. Douglas and John C. Calhoun and the Webster-Hayne debates that showed clearly the founding fathers were correct in setting up the legislative branch of our government as a check upon the executive, and as that great Senator from South Carolina, John C. Calhoun, said on the slavery question: "Upon what ground in principle and reason are majorities entitled to over-ride minorities."

And, of course, this country is great today not in spite of the great rifts between the executive and legislative branches of government, but this country is great as a result of these difference of opinion.

And so we heard Grover Cleveland in 1884 upon assuming the Presidency of the United States state: "I did not come here to legislate."

Gentlemen of the Senate, you will recall with me that Franklin Delano Roosevelt was elected President of the United States in 1932, and very quickly became the most popular, the most beloved, and strongest President in many a year. But yet, even in President Roosevelt's strongest hour, we saw the Congress of the United States stand up and say, "No," to some of President Roosevelt's legislative programs.

The great Senator Harry F. Byrd of Virginia, the late Senator Walter F. George, Democratic Senator Millard Tydings of Maryland, and "Cotton Ed" Smith of South Carolina were among the Senators who could not justify in their own minds and hearts some of President Roosevelt's programs, and so in the Congressional election of 1938, President Roosevelt sought to have these several Senators defeated in their own states and by their own people. You will recall that President Roosevelt asked the people of Georgia to defeat and turn out of office the great Senator Walter F. George. The people of Georgia, in one of their finest hours recognized and realized that their Senator had stood for what he thought was good, right, just and proper, and in the best interest of the people of Georgia, and so in the Congressional election of 1938, the people of Georgia gave Senator George a resounding victory. President Roosevelt asked the people of Maryland to defeat Senator Millard Tydings, and they responded again with a victory for Senator Tydings. In South Carolina President Roosevelt asked the people of South Carolina to turn their beloved "Cotton Ed" Smith out of office. The people of South Carolina responded by giving Senator Smith a vote of confidence.

So now therefore, this country is great because I believe that the people across this land feel that a legislator should not be a puppet or a rubber stamp for the President or the Governor.

And, of course, speaking of President Roosevelt who was a great President, a loved President, and a popular President, but yet in 1951 the 36th state ratified the 22nd amendment to the Constitution of the United States. This, of course, was the prohibition against a President serving more than two terms in that office. Now, Gentlemen of the Senate, what if we were faced this very moment with a bill in the United States Senate by President Johnson to repeal the prohibition against a third term, how would the people of Alabama like their Senators to vote on such a proposal?

And so, Gentlemen, as I see it, our Alabama Constitution was well-written by brilliant, conscientious statesmen, and our Alabama Constitution calls for a check upon the executive branch of government by the

legislative branch. The Constitution of Alabama requires that the Governor shall give to the legislature information on the state of the government, and recommend for its consideration such measures as he might determine expedient. Our Constitution goes further than most in that the Alabama Constitution requires that the Governor at the close of his term shall by written message give a report to the legislature on the condition of the state and account for all monies paid out by him. This is usually what is known as the "State of the State" message by the outgoing governor.

And so, Gentlemen, our Constitution has taken into account the consuming political ambition of its Governor, and has provided for certain checks upon him.

Gentlemen of the Senate, I point out to you that we in Alabama do not have a two party legislature, and therefore, do not have a ready-made check upon the executive branch of government which is present in most states. So therefore, without debate, friction, and differences of opinion in the Alabama legislature, there would be no checks and balances as envisioned by our founding fathers in drafting our Constitution.

And so, Gentlemen of the Senate, in this country this year we have seen the need for a legislative check upon the national administration. We have seen fostered upon this country a civil rights bill the likes of which this country has never before seen, and we saw the giants in the United States Senate stand up and oppose the President in his endeavor to pass the infamous civil rights or civil wrongs bill. We heard such thunderous voices as that of Senators Hill and Sparkman of Alabama, Eastland and Stennis of Mississippi, Holland and Smathers of Florida, Ellender and Long of Louisiana, Russell and Talmadge of Georgia, Towers and Yarbrough of Texas, McClellan and Fulbright of Arkansas, Johnston and Thurmond of South Carolina, and several others making a total of eighteen Senators in the United States conducting a three months filibuster on the floor of the Senate. And so, Gentlemen, we saw finally the dark day upon which the President of the United States used the powers of his office to the extent that he persuaded the requisite number of Senators in that hallowed chamber to vote cloture and forever silence those who would speak against the civil rights bill, and today is there a member of this hallowed chamber that does not admire and respect every member of the Southern team? This team who stood upon the floor of the Senate and told President Johnson that he was wrong in the civil rights field, and that in their judgment, the civil rights bill was not in the best interest of the people of this country and of their respective states? And, Gentlemen, you will note that seventeen (17) of these eighteen (18) Senators who filibustered in Washington were Democrats, members of the same party as the President, and yet they had the courage to vote their convictions.

And, of course, from Alabama in years past we have seen the Bankheads and Underwoods stand upon the floor of the United States Senate and disagree with the Administration. And, in this hallowed legislature in which we stand today, we have seen the Jim Simpsons, Jimmy Colemans, the L. K. "Snag" Andrews, Ben Reeves, Albert Davis, Joe Calvin, Albert Boutwell, Geo. Little, Sam Englehardt, H. B. James, Gerald Bradford, Walter Givhan, A. Bruce Henderson, and the George Wal-laces, and the many others disagree with the administration in power.

And so now, today, Gentlemen, the issue is: "Can a member of the Senate of Alabama dare express his judgment, opinion, and his sincere and honest conviction upon any measure before the Senate without fear or restraint?"

Gentlemen, I would ask you: "Why is it that the Constitution of Alabama provides that all ranking members of government be approved and that the Governor advise and consent with the Senate on said appointments?" And why is it, Gentlemen, that our Constituion provides the privileges and immunity to any member of our legislature for any statement that he might make upon the Senate floor? And why was it that the founding fathers provided that legislators shall be immune from arrest while attending a legislative session and going to and from?

Gentlemen, could it be that the founding fathers in drafting those sacred documents—the United States Constitution and the Constitution of Alabama—were wrong in providing for the separate powers of government, the three distinct branches so that each could effectively work a check upon the other?

And so, Gentlemen, it is true that: "You can fool all the people some of the time and some of the people all of the time, but you can't fool all of the people all of the time."

Could it be that standing "up to Wallace" in some instances could be "standing up for Alabama"? This Governor of Alabama, is this mortal human being perfect in every respect and in all things? Is it possible that he is right all the time? Is his judgment infallible? Is it untrue then that "no man is perfect save one"?

And so now, I say to Governor Wallace who was elected Governor of Alabama and not Senator for Tallapoosa and Elmore Counties: "You be the Governor and I will be the Senator from Tallapoosa and Elmore Counties."

I would further say to Governor Wallace with respect to his invitation to me to go with him on his next tour of the United States, Canada and other countries over the world: "I cannot go."

I do not have a airplane furnished me as State Senator. I do not have a courtesy card and expense account. I do not have the privilege of paying for a state wide telecast on television and radio with tax payers' money. And I was not elected by my people to remain without this state for extended periods of time. I shall remain here in Alabama and strive to the best of my ability to do that which I think is right, just, good, and in the interest of the people of Tallapoosa and Elmore Counties.

Gentlemen, I am indeed saddened by the vicious personal attack upon the system that made our state great. I am saddened that there are those who would have this legislature perform the function of a rubber stamp.

I state to this Senate that I shall continue throughout my term as a member of this Senate to aid and assist Governor Wallace in the passage of all legislation that is, in my opinion, in the best interest of the people of Alabama, and I shall oppose vigorously all legislation that I feel is not in the best interest of the citizens of Alabama.

POINT OF PERSONAL PRIVILEGE

The foregoing address by Mr. Hornsby delivered to the Senate under Point of Personal Privilege was ordered spread upon the Journal.

RESOLUTION

The Standing Committee on Rules reported the following Senate Resolution, to-wit:

S. R. 5. BE IT RESOLVED by the Senate that:

1. The next and continuing order of business is to recommit S. B. 71 to the Committee from whence it came.

2. The next and continuing order of business will be S. B. 67.

3. The next and continuing order of business will be all local bills in order they appear on the calendar.

Mr. Dumas offered the following amendment to the Resolution, to-wit:

Amendment to S. R. 5

Make Item 3 Item 2 and Item 2 Item 3 thereby reversing the order in which they appear in the Report.

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 21; Nays 12.

Yeas:

Messrs.:	Eddins	Lolley	Nichols
Adams	Evans	Lowe	Oden
Allen	Gilchrist	McCain	Reynolds
Carter	Givhan	McDow	Robison (Montgomery)
Clark	Hawkins	Metcalf	Taylor
Cooper	James		

—21

Nays:

Messrs.:	Hammond	Montgomery	Shelton
Bentley	Hornsby	Roberts	Smith
Brannan	Horton	Robison (Pickens)	Wilson
Dumas			

—12

And said Resolution, S. R. 5, was then adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 94. To make an additional appropriation for payment of expenses of the Legislature.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Wilson
Dumas	James		

—33

Nays:

—0

MOTION IN WRITING

Mr. Nichols offered the following Motion in Writing:

"Motion in Writing

"I move that S. B. 71 be recommitted to the Committee from whence it came.

Nichols"

Mr. Robison (Montgomery) offered as a substitute motion that further consideration of the Bill, S. B. 71, be indefinitely postponed by the Senate.

On motion of Mr. Mathews, the motion by Mr. Robison (Montgomery) to indefinitely postpone was laid on the table.

Yeas 25; Nays 9.

Yeas:

Messrs.:	Cooper	Lolley	Nichols
Adams	Dumas	Lowe	Oden
Allen	Evans	Mathews	Reynolds
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Taylor
Carter	Hawkins	Montgomery	Wilson
Clark	James		

—25

Nays:

Messrs.:	Hornsby	Roberts	Robison (Pickens)
Eddins	Horton	Robison (Montgomery)	Smith
Gilchrist	McCain		

—9

The question recurred on the Motion in Writing By Mr. Nichols to recommit the Bill, S. B. 71, and said motion was then adopted by the Senate.

And the Bill, S. B. 71, in accordance with the provisions of S. R. 5, was then re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Constitution and Constitutional Revision and Amendments.

BILLS ON THIRD READING RESUMED

The Bill:

S. 67. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

was taken up.

Mr. Eddins offered the following substitute for the Bill, to-wit:

Senate Substitute for S. B. 67

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is hereby amended to read as follows:

"Section 425. The State of Alabama is hereby divided into eight congressional districts as follows: The first district shall be composed of the counties of Clarke, Mobile, Monroe, Choctaw, Washington and Wilcox. The second district shall be composed of the counties of Baldwin, Butler, Conecuh, Crenshaw, Escambia, Lowndes, Montgomery and Pike. The third district shall be composed of the counties of Barbour, Bullock, Coffee, Covington, Dale, Geneva, Henry, Houston, Lee, Macon and Russell. The fourth district shall be composed of the counties of Autauga, Calhoun, Chambers, Clay, Cleburne, Coosa, Elmore, Randolph, St. Clair, Talladega and Tallapoosa. The fifth district shall be composed of the counties of Blount, Cherokee, Cullman, DeKalb, Etowah, Franklin, Marion, Marshall, Walker and Winston. The sixth district shall be composed of the counties of Bibb, Chilton, Dallas, Fayette, Greene, Hale, Lamar, Marengo, Perry, Pickens, Shelby, Sumter and Tuscaloosa. The seventh district shall be composed of the county of Jefferson. The eighth district shall be composed of the counties of Colbert, Jackson, Lauderdale, Lawrence, Limestone, Madison and Morgan."

Section 2. Code 1940, Title 17, Section 426 is amended to read as follows:

"Section 426. Each congressional district is entitled to elect one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in November 1964, and every two years thereafter."

MOTION TO ADJOURN LOST

At 5:00 o'clock P.M., Mr. Wilson moved that the Senate adjourn until Friday, August 14, 1964, at 10 o'clock A.M., which motion was lost.

Yeas 11; Nays 19.

Yeas:

Messrs.:	Carter	Lowe	Robison (Pickens)
Allen	Hornsby	Montgomery	Shelton
Bentley	James	Oden	Wilson

—11

Nays:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Mathews	Roberts
Brannan	Gilchrist	McDow	Robison (Montgomery)
Clark	Hawkins	Metcalf	Smith
Cooper	Horton	Nichols	Taylor

—19

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 3. Relative to congratulating Lieutenant Governor Allen upon his approaching marriage and wishing for him and his bride-to-be every happiness in their future.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Moore:

H. J. R. 18. WHEREAS, Representative Quinton R. Bowers, the immediate past Commander, Department of Alabama, Veterans of Foreign Wars, has been selected for national honors as a Department Commander of the Year for his outstanding leadership in that patriotic organization; and

WHEREAS, the special national recognition is to be bestowed on him at the Veterans of Foreign Wars forthcoming National Convention in Cleveland, Ohio; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we extend heartiest congratulations and best wishes to our distinguished colleague, and warmly commend him for his achievements and receipt of this great honor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 18, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Messrs. Hawkins, Metcalf, Lolley and Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. WHEREAS, Robert Horton Rutland, Director of Technical Staff, State Building Commission, who died unexpectedly Sunday, July 12, 1964, was an outstanding citizen of Alabama, whose conduct and service endeared him to all who knew him; and

WHEREAS, His athletic prowess, evidenced by winning the Southeastern Conference pole vault championship during his senior year at Auburn University brought honor not only to him but to his beloved Auburn; and

WHEREAS, He graduated with honor in 1934 from Auburn University with an Architectural-Engineering degree; and

WHEREAS, He served his country and state ably and with distinction during World War II and as Assistant Director of Technical Staff, State Building Commission, since 1951, and as Director of Technical Staff, State Building Commission, since 1963;

NOW THEREFORE BE IT RESOLVED BY THE ALABAMA SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That this Legislature notes with profound regret the passing of Robert Horton Rutland, and expresses sympathy to all the surviving members of his family.

AND BE IT FURTHER RESOLVED, That the Secretary of the Senate be directed to transmit a copy of this Resolution to the bereaved widow, Mrs. Mary Louise Rutland, at Montgomery.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Rast, Brewer, Fite, Baker (Madison), Baker (DeKalb), Collins, Cook, Drake, Edwards (Escambia), Fields, Glass, Harper, Nettles, Powell and Stembridge:

H. J. R. 17. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we express our great pleasure at encouraging news of the recovery of Mrs. Edna Harris from a serious and unfortunate illness. Mrs. Harris, who is friendly, capable and efficient in the performance of her duties as secretary to the Honorable Speaker of this House, lovely and charming in manner, has been sorely missed here; and we extend to her all good wishes and our best regards, sincerely hoping that she will soon return to a normal routine.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 17, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turner (Crenshaw):

H. J. R. 15. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the officers and members of the two houses who are invited to do so shall be authorized to participate in the National Conference of State Legislative Leaders on behalf of the State and the annual membership dues of Alabama in the Conference as assessed for the year 1963 and thereafter may be paid from funds appropriated to the use of the Legislature, upon certificate of the Speaker of the House.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 15, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turner (Crenshaw):

H. J. R. 16. WHEREAS, Governor Carl Sanders of Georgia has followed the line of many so-called "Moderates" which is to give lip service to our constitutional right to free speech, but to oppose the expression of principles with which he does not agree, and

WHEREAS, the people of Alabama generally do not agree with Governor Sanders, but take the position of Voltaire that while we do not agree with what he says we will defend to the death his right to say it, and

WHEREAS, The Legislature of Alabama desires to continue the Alabama tradition of hospitality and courtesy to all;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, that Governor Carl Sanders be and he is hereby invited to address a joint session of the Legislature of Alabama at anytime during the current session it is convenient to him.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to Governor Sanders by the Clerk of the House of Representatives.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H.J.R. 16, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Callahan, Sullivan, Pruitt, Nettles, Hankins, Branyon, Barnett, Davis, Brown (Tuscaloosa), Fite, Reynolds, Jones (Monroe), Grouby, Merrill, Hawkins, Faulk, Avery and Bolton:

H. J. R. 22. WHEREAS, Montgomery County, Pickens County and the entire State of Alabama have suffered a grievous loss in the death of former Representative Gilbert Eugene Davis, Sr.; and

WHEREAS, Gilbert Eugene Davis, Sr. served his native Pickens County as a representative honorably and well in the Legislature of Alabama from 1931 through 1935; and

WHEREAS, in later years he served the Legislature of Alabama in the capacity of Sergeant at Arms and in other capacities; and

WHEREAS, he always conducted himself as a gentleman and a statesman and gave of his time, his substance and his talents to the building up of this state and to the fraternal and religious life of his community; and

WHEREAS, he was an ever loving father and general all round good citizen, and demonstrated a remarkable capacity for friendship which endeared his memory to countless hundreds of Alabamians who are now grieved and saddened by his passing and shall miss him with a feeling of great personal loss, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses thereof concurring, that we express our sincere appreciation for the personal life of Gilbert Eugene Davis, Sr. as a public servant, a Christian gentleman, a mason, a husband and father, and as a good and true man, and we extend to the members of his family an expression of our sincere sympathy in their great loss.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to his surviving widow, Mrs. Leona Davis, and to his surviving sons, Colonel Willis Davis of Washington, D. C., and the Honorable Emmett Davis, of Montgomery, Alabama, and the Honorable Gilbert Eugene Davis, Jr., of Prattville, Alabama, and to his daughter Mrs. Harold Downing, of Vernon, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison (Pickens), the Rules were suspended and the Resolution, HJR 22, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Pierce, Goodwyn, Little, Goldthwaite and Turnham:

H. J. R. 19. WHEREAS Robert Horton Rutland, Director of the technical staff of the State Building Commission, passed away on July 12, 1964, after long and distinguished service as a career employee of the State; and

WHEREAS Mr. Rutland, who was held in high regard by his friends, was admirably equipped for the position he held at his untimely death. Mr. Rutland was a graduate of Auburn University, having received his architectural degree in 1934, since which time he had many years of valuable experience in his chosen field. He was a man of progressive vision and foresight, which combined with a sense of appropriate practicality and strict integrity, made his services of immeasurable value to this state; and

WHEREAS Mr. Rutland being the son of the late Dr. J. R. Rutland, long time head of the English department at Auburn University, and of Mrs. Rutland, was a devoted alumnus of that institution. While at Auburn, Mr. Rutland was an outstanding athlete, and was the champion pole vaulter of the Southeastern Conference during his senior year. Since his graduation he had been an ardent supporter of his alma mater; and

WHEREAS Mr. Rutland is survived by his wife, Mrs. Mary Louise Torbert Rutland, and three sons Robert Jr., George, and James; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING. That we express our deepest regret upon the death of Mr. Rutland and extend our heartfelt sympathy to his survivors.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mrs. Rutland and her sons.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDow, the Rules were suspended and the Resolution, HJR 19, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MOTION TO ADJOURN LOST

At 5:30 P.M., Mr. Oden moved that the Senate adjourn until Wednesday, August 12, 1964, at 1 o'clock P.M., which motion was lost.

Yeas 6; Nays 22.

Yeas:

Messrs.:	Allen	Carter	Wilson	
Adams	Bentley	Oden		—6

Nays:

Messrs.:	Hammond	Mathews	Robison (Montgomery)	
Brannan	Hawkins	McDow	Robison (Pickens)	
Clark	Horton	Metcalf	Smith	
Cooper	James	Montgomery	Taylor	
Eddins	Lolley	Nichols	Tyson	
Evans	Lowe	Reynolds		—22

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. J. R. 3. Congratulating Lieutenant Governor Allen on his approaching marriage.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President Pro Tem of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

FURTHER CONSIDERATION OF S. B. 67

The Senate proceeded to further consideration of the Bill, S. B. 67.

The question was on the Substitute offered by Mr. Eddins for the Bill.

And said Substitute was then adopted by the Senate.

Yeas 26; Nays 4.

Yeas:

Messrs.:	Cooper	James	Nichols	
Adams	Eddins	Lolley	Reynolds	
Allen	Evans	Lowe	Robison (Montgomery)	
Bentley	Gilchrist	McCain	Robison (Pickens)	
Brannan	Hammond	McDow	Smith	
Carter	Hawkins	Metcalf	Tyson	
Clark	Horton	Montgomery		—26

Nays:

Messrs.:
Oden

Shelton

Taylor

Wilson

—4

RECESS

At 5:43 P.M., on motion of Mr. Eddins, the Senate took a recess until 6:43 P.M. this evening.

The recess period having expired, the Senate was called to order by Honorable James B. Allen, President and Presiding Officer of the Senate.

A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 111. To make an additional appropriation for payment of expenses of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 111. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 114. To the Committee on Privileges and Elections.

ADJOURNMENT

At 7:16 P.M., on motion of Mr. Eddins, pending further consideration of S. B. 67, the Senate adjourned until Wednesday, August 12, 1964, at 2 o'clock P.M.

FIFTH LEGISLATIVE DAY
WEDNESDAY, AUGUST 12, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Metcalf	Taylor
Clark	Hornsby	Montgomery	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James	Reynolds	

—34

JOURNAL

On motion of Mr. McDow, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. McDow, leave of absence was granted Mr. Nichols for today.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Evans:

S. 138. Relating to municipal corporations; to authorize municipalities to protect, maintain and care for ancient cemeteries or burial

grounds, to grant permits for burial therein, and to define "ancient cemetery or burial ground."

Committee on Municipalities and
Municipal Organizations.

By Mr. Tyson:

S. 139. To amend Section 10 of Act #934 of the Regular Session of 1961 of the Legislature of Alabama, approved September 9, 1961, which said Act #934 relates to the provision for a program of tax equalization of real property in any county of the state having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, by providing that the Tax Assessor in any such county shall not be entitled to a 25c notice fee as provided for in Section 55 of Title 51 of the 1940 Code of Alabama as amended.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Hawkins, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Smith, Clark, McDow, Hornsby, Brannan, Metcalf and Hawkins:

S. 76. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Mr. Robison, Chairman of the Standing Committee on Public Welfare and Correctional Institutions, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Tyson, Metcalf, Hawkins, Allen, Taylor, Hammond, Carter, Wilson, Lowe, McDow, Lolley and Robison (Montgomery):

S. 92. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hammond (with notice and proof):

S. 85. To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; to repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; to recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

By Mr. Hammond (with notice and proof):

S. 100. Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

By Mr. Hammond (with notice and proof):

S. 101. To provide for compensation of jurors in DeKalb County.

By Mr. Carter (with notice and proof):

S. 111. To allow the Board of Revenue of Jackson County to authorize the Sheriff of Jackson County to employ an additional deputy to be known as a County Criminal Investigator; defining his powers and duties, and fixing his compensation.

By Mr. Carter:

S. 112. To provide for a supplemental salary to be paid by counties to the Register of a one-county Judicial Circuit, which county has a population under 500,000, and having two courthouses where Circuit Court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

By Mr. Roberts:

S. 103. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent Federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

By Mr. Roberts (with notice and proof):

S. 104. For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

By Mr. Roberts:

S. 105. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

By Mr. Roberts (with notice and proof):

S. 107. To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

By Mr. Roberts:

S. 116. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the payment of the compensation of members and chairman of the county governing body.

By Mr. Reynolds:

S. 120. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Reynolds:

S. 121. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Smith:

S. 125. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

By Mr. Shelton:

S. 127. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the City of Anniston, Calhoun County.

By Mr. Taylor:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

By Mr. Hammond:

S. 137. Relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties.

By Mr. Wilson:

S. 129. To apply in all counties having populations of not less than 51,000 nor more than 56,000, regulating the compensation of election officers.

By Mr. Wilson:

S. 128. To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

By Mr. Allen:

S. 122. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

By Mr. Allen:

S. 123. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Mr. Clark, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

By Messrs. Metcalf, Lolley, Reynolds, Hornsby, Tyson, Robison (Montgomery), Nichols, Hawkins, Oden, Allen, Cooper, McCain, Horton and Mathews:

S. 132. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite:

H. 111. To make an additional appropriation for payment of expenses of the Legislature.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Vacca, Perry, Rast, Brown (Jefferson), Etheredge, Collins, Bailes, Locke, Meeks, Gilmore, Dominick, Bethea (M), and Morrow:

H. 46. To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

NOTICE. A bill will be introduced in the next session of the legislature, special or general, to establish an inferior court in precincts 9,

10, 21, 29, 42, 45 and 52 in Jefferson County, Ala., and in all other precincts lying within or partly within the City of Birmingham, Ala., in lieu of all Justices of the Peace in said precincts and in lieu of all notaries public with powers of Justices of the Peace, and in lieu of all other inferior courts created in lieu of Justices of the Peace heretofore created in said territory and with concurrent jurisdiction with all other Justices of the Peace and inferior courts in the Birmingham Division of Jefferson County, Ala., to define the jurisdiction and powers of said court, the judges, clerks and other officers thereof; to provide for places of holding said court, terms and salaries of said judges, the manner of their appointment and election.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler, who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of September 21, 28; Oct. 5, 12, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 14th day of October, 1963.

ANGIE CAMPISI,
Notary Public.

Also:

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Bailes, Morrow and Bowers:

H. 59. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 60. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Vacca, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Gilmore, Brown (Jefferson), Sessions, Perry, Hawkins, Bailes, Morrow and Bowers:

H. 61. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more accord-

ing to the last or any subsequent federal census and to provide for the payment thereof.

Also:

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Perry, Vacca, Gilmore, Brown (Jefferson), Sessions, Hawkins, Morrow and Bowers:

H. 62. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

By Messrs. Brown (Jefferson), Gilmore, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Perry, Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 63. To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill in substantially the following form will be introduced in the next Regular or Special Session of Legislature of Alabama and an effort made towards the passage of same:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, P. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Be It Enacted by the Legislature of Alabama:

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: November 8, 15, 22, 29, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52)

consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 64. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

By Messrs. Brown (Jefferson), Gilmore, Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Sessions, Hawkins, Bailes, Morrow and Bowers:

H. 65. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill in substantially the following form will be introduced in the next Regular or Special Session of Legislature of Alabama and an effort made towards the passage of same:

A BILL TO BE ENTITLED AN ACT

To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer and to further provide for such office and the duties, authority and compensation for such office.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Nov. 22, 29, Dec. 6, 13, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Rast, Collins, Etheredge, Dominick, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Perry, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 66. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Also:

By Messrs. Perry, Brown (Jefferson), Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Morrow and Bowers:

H. 67. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

By Messrs. Perry, Rast, Brown (Jefferson), Etheredge, Collins, Meeks, Bowers, Vacca, Gilmore, Sessions, Locke, Hawkins, Bethea (B), Bailes and Morrow:

H. 68. TO AMEND ACT NO. 502 OF THE LEGISLATURE OF ALABAMA OF 1923, APPROVED SEPTEMBER 29, 1923, (GENERAL ACTS OF ALABAMA OF 1923, PAGE 663, ET SEQ.), AS RE-ENACTED BY ACT NO. 283 OF THE LEGISLATURE OF ALABAMA OF 1943, APPROVED JUNE 28, 1943, (GENERAL ACTS OF ALABAMA OF 1943, PAGE 241 ET SEQ.), AS HERETOFORE AMENDED.

Also:

By Messrs. Perry, Rast, Brown (Jefferson), Etheredge, Collins, Meeks,

Bowers, Vacca, Gilmore, Sessions, Locke, Hawkins, Bethea (B), Bailes and Morrow:

H. 69. TO AMEND ACT NO. 929 OF THE LEGISLATURE OF ALABAMA OF 1951, APPROVED SEPTEMBER 12, 1951, ACTS OF ALABAMA 1951, PAGE 1579, ET SEQ., AS HERETOFORE AMENDED.

Also:

By Messrs. Perry, Rast, Brown (Jefferson), Etheredge, Collins, Meeks, Bowers, Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 70. TO AMEND ACT NO. 556, OF THE LEGISLATURE OF ALABAMA OF 1959, APPROVED NOVEMBER 19, 1959, ACTS OF ALABAMA OF 1959, PAGE 1376 ET SEQ.

Also:

By Messrs. Etheredge, Rast, Brown (Jefferson), Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Bailes, Hawkins and Morrow:

H. 71. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Also:

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Hawkins, Bailes and Morrow:

H. 73. TO APPLY IN AND ONLY IN EACH CITY IN THIS STATE HAVING A POPULATION OF 300,000 OR MORE, ACCORDING TO THE LAST OR ANY SUBSEQUENT DECENNIAL FEDERAL CENSUS; TO PROVIDE FOR THE CREATION OF THE OFFICE OF CITY MAGISTRATE AND THE APPOINTMENT OF CITY MAGISTRATES: TO DEFINE THE QUALIFICATIONS, POWERS AND DUTIES OF CITY MAGISTRATES; AND TO PROVIDE FOR SEARCH WARRANTS AND WARRANTS OF ARREST.

Also:

By Messrs. Etheredge, Rast, Brown (Jefferson), Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bethea (B), Bailes and Morrow:

H. 74. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Also:

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Morrow, Sessions, Locke, Bethea (B), Hawkins and Bailes:

H. 75. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees

collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next general or special session of the Legislature of ALABAMA application will be made to the Legislature that the following bill be enacted:

A BILL TO BE ENTITLED AN ACT

To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Jefferson County, Alabama.

Section 2 (a). Subject to the conditions specified in subsection (c) below, in each criminal case, quasi criminal case, proceeding on a forfeited bail bond in the Circuit Court or in each criminal case in any statutory inferior court in Jefferson County, Alabama, there shall be taxed a witness fee of One (\$1.00) Dollar for each deputy sheriff subpoenaed in any such case.

(b) Subject to the conditions specified in subsection (c) below, such witness fee shall be collected by the clerks of the Courts, and the total of such fees, collected on account of any one deputy sheriff on the

same day, only the sum of One (\$1.00) Dollar shall be paid to the said deputy sheriff witness, and the balance of said witness fees collected on said cases on account of deputy sheriff witnesses shall be paid monthly to the Treasurer of the County for the use of and benefit of the retirement fund of the retirement system established by Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, General Acts of Alabama of 1953, page 766, et seq. until the benefits are being paid from the said retirement fund at the maximum rates provided for by said Act No. 551, and thereafter the aforesaid balance of said witness fees shall be paid monthly to the Treasurer of said County for the use of and benefit of the retirement fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, page 1250, et seq.

(c) In those cases where the defendant is required to serve time in lieu of payment of costs, no witness fee on account of said deputy sheriff shall be collected and such witness fees that shall be paid into either of the retirement funds above mentioned shall be limited to two witness fees in any one case.

Section 3. If any part of this Act shall be held invalid, such holding shall not affect the validity of the remaining parts of the said Act.

Section 4. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of January 11, 18, 25, and February 1, 1964, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 3 day of February, 1964.

MILDRED M. GRIFFIN,
Notary Public.

Also:

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Brown (Jefferson), Perry, Bowers, Bailes, Bethea (M), Gilmore and Morrow:

H. 76. TO PROVIDE THAT THE GOVERNING BODY OF ANY CITY IN THE STATE HAVING A POPULATION OF 300,000 INHABITANTS SHALL HAVE THE POWER AND AUTHORITY BY ORDINANCE TO GRANT MEMBERS OF SUCH GOVERNING BODY MONEY FOR EXPENSES NOT EXCEEDING \$11,000 PER YEAR FOR ANY FISCAL YEAR OF SUCH CITY.

Also:

By Messrs. Gilmore, Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Locke, Bethea (B), Hawkins, Bailes, Sessions and Morrow:

H. 77. To authorize the County Board of Education of any county having a population of 500,000 or more according to the last or any succeeding federal decennial census to name school buildings in honor of living persons.

Also:

By Messrs. Downing, Rogers, Engel, McDermott, Smith, Hogan, Edington and Fields:

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

Also:

By Messrs. Engel, Edington, McDermott, Rogers, Hogan and Fields:

H. 117. To regulate further the office of sheriff in counties having populations of more than 300,000 and less than 500,000, according to the last or any subsequent federal decennial census; to exempt sheriffs of such counties from liability for the acts of their deputies, except in certain cases.

Also:

By Messrs. Engel, McDermott, Rogers, Edington and Fields:

H. 119. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

Be It Enacted by the Legislature of Alabama:

Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122), as amended, is amended further to read as follows:

"Section 6. The compensation of such Assistant Treasurer of Mobile County shall be not less than four thousand eight hundred dollars (\$4,800) per annum nor more than six thousand dollars (\$6,000) per annum, at the discretion of the County Treasurer, and shall be paid in monthly installments from the County Treasury of Mobile County."

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Aug. 2, 9, 16, 23, 1963.

W. F. EGAN.

Sworn to and subscribed before me This 3 day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

Also:

By Messrs. Engel, McDermott, Rogers, Hogan, Edington and Smith:

H. 120. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

Also:

By Messrs. Engel, McDermott, Rogers, Hogan and Edington:

H. 122. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Also:

By Messrs. Engel and Hogan:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Also:

By Messrs. Engel, McDermott, Rogers, Hogan and Edington:

H. 125. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of members of the courts of county commissioners, county commissions, or like county governing bodies of such counties.

Also:

By Messrs. Engel, McDermott, Rogers, Hogan, Edington and Smith:

H. 126. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent Federal census.

Also:

By Messrs. Engel, McDermott, Rogers, Hogan, Edington and Smith:

H. 127. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act #315, H. 459, approved Oct. 29, 1959) which relates to the ap-

pointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Also:

By Messrs. Hogan and Engel:

H. 128. To amend Section 2, Act No. 218, H. B. 404, Regular Session 1963, an act relating to counties having populations of not less than 300,000 nor more than 500,000.

Also:

By Messrs. Rogers, Engel, Smith, Hogan, McDermott and Fields:

H. 129. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act N. 345, S. 291, 1955 Acts Vol. II, p. 783).

Also:

By Messrs. McDermott, Rogers, Engel, Hogan, Downing, Edington, Fields and Smith:

H. 130. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama, 1955, (Vol. I, p. 515), approved August 3, 1955, entitled "An Act to provide further for the compensation of the Circuit Solicitor in circuits composed of one County and having not less than four nor more than nine Circuit Judges," as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. I, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940.

Also:

By Messrs. Rogers, Downing, Engel, Smith, Fields, Hogan, McDermott and Edington:

H. 131. To amend Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an Act relating to the office of License Commissioner in counties having populations of not less than 300,000 or more than 500,000.

Also:

By Messrs. McDermott and Edington:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 46, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 74, 75, 76, 77, 115, 117, 119, 120, 122, 124, 125, 126, 127, 128, 129, 130, 131 and 137. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. NeSmith:

H. 3. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

Also:

By Mr. NeSmith:

H. 4. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

Also:

By Mr. Paulk:

H. 5. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Also:

By Mr. Steagall:

H. 20. RELATING TO THE SHERIFF OF DALE COUNTY, PROVIDING AN ALLOWANCE FOR EMPANELING GRAND JURIES.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Dale County shall be allowed by the County Commissioners' Court to receive an amount not exceeding \$250.00 per month for impanelling grand juries, advertising, and attending all elections in his County, and for all other public services not otherwise provided for. The allowance provided for by this act shall be paid out of the County Treasury upon presentation to the County Commissioners Court of a verified account showing the items of service rendered, and shall be in lieu of the allowance of \$600.00 per annum

for such services which is provided for by the Code of Alabama, 1940, Title 11, Section 34 as amended.

Section 2: All laws or parts of laws in conflict with this act are repealed.

Section 3: This act shall take effect on the first day of the month next following the date of its enactment.

STATE OF ALABAMA
DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams, who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 11, 18 and 25, and July 2, 1964.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 3 day of August, 1964.

CELESTE A. WOODS,
Notary Public.

Also:

By Mr. Steagall:

H. 21. RELATING TO DALE COUNTY, PROVIDING FOR THE APPOINTMENT OF DEPUTIES SHERIFF AND FOR THEIR COMPENSATION.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
DALE COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Dale County may appoint such number of deputies in addition to his Chief Deputy as he may find necessary for efficient performance of the duties of his office, and the Court of County Commissioners, Board of Revenue, or other like governing body may provide for the payment of their compensation, in whole or in part, out of any funds of the County not otherwise appropriated.

Section 2. All laws or parts of laws in conflict with this act are hereby repealed.

Section 3: This act shall take effect on the first day of the month next following the date of its enactment.

STATE OF ALABAMA
DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams, who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 11, 18 and 25, and July 2, 1964.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 3 day of August, 1964.

CELESTE A. WOODS,
Notary Public.

Also:

By Mr. Steagall:

H. 22. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697) entitled 'An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697), entitled 'An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697), entitled "An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body," is hereby amended to read as follows:

"Section 1. Each member of the court of county commissioners, board of revenue, or like governing body of Dale County, except the chairman or other presiding officer, shall receive a salary of two thousand four hundred dollars (\$2,400.00) per annum, payable in equal monthly installments out of the county treasury. In addition, members of the governing body other than the chairman or other presiding officer shall each receive an allowance of One Hundred Seventy-Five Dollars per month, payable out of the county treasury, as reimbursement for expenses incurred by them in the performance of their duties as mem-

bers of the county governing body. The compensation provided for herein shall be in lieu of all other compensation provided by law. The chairman or other presiding officer of the court of county commissioners, board of revenue, or like governing body of Dale County shall continue to receive the same compensation as the chairman or other presiding officer of county governing bodies under the general law."

Section 2. This Act shall become effective upon the expiration of the term or terms of the incumbent member or members whose term or terms first expire.

STATE OF ALABAMA
DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams, who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 4, 11, 18, and 25, 1964.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 3 day of August, 1964.

CELESTE A. WOODS,
Notary Public.

Also.

By Mr. Branyon:

H. 32. Regulating the compensation of election officers in counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census.

Also:

By Mr. Branyon:

H. 33. To apply only in counties having populations of not less than 15,500 nor more than 16,300, relative to closing the office of officials in the courthouse.

Also:

By Mr. Branyon:

H. 34. Relating to counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

Also:

By Mr. Hankins:

H. 94. Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAMAR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar county by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Director of the Department of Conservation is hereby authorized and empowered to promulgate rules and regulations authorizing the taking, catching or killing of non-game fish from the public waters of Lamar County by the use of wire baskets having a mesh of one inch or more, provided, however, that the Director of the Department of Conservation shall only promulgate such a regulation upon the written petition of the state representative and state senator from Lamar County.

Section 2. Any person desiring a license to fish with such wire basket in areas where they may be legalized by regulation, as provided for above, may apply to the probate judge or other appropriate licensing authority in Lamar county and shall pay a privilege license tax of one dollar (\$1.00) for each wire basket with which he proposes to fish. The judges of the probate, license commissioners or other persons authorized and designated to issue fishing license shall be entitled to a fee of fifteen cents for each license so issued, which fee shall be in addition to the amount designated in this Act as the cost of such license.

The revenue derived from the sale of the license provided for in this Act shall be remitted to the Department of Conservation on the first day of each month by the issuing officer and shall be covered into the state treasury to the credit of the game and fish fund.

Section 3. It shall be illegal for any person to obtain more than four (4) such licenses or fish with more than four (4) such baskets.

Section 4. Any basket or baskets that may become legal for use in the waters of the county under the provisions of this Act shall be clearly marked with the name of the licensee operating, using and owning said basket and the license number of said basket.

Section 5. All wire baskets not marked in accordance with the provisions of the preceding section shall be destroyed upon discovery by any officer, agent or employee of the Department of Conservation.

Section 6. Only non-game fish may be taken, captured or killed by means of any basket that may become legal for use in this county under the provisions of this Act. All game fish taken in such baskets shall immediately be returned to the waters from whence taken with the least possible harm.

Section 7. The licenses provided for in this Act shall not be sold to any person holding a commercial fishing license or engaged in the

business of commercial fishing, and it shall be unlawful for any person holding a wire basket license or using a wire basket under the provisions of this Act to sell or offer for sale any fish within or without this county. (It is the specific intent of this Act to allow the use of wire baskets to catch fish for personal consumption only.)

Section 8. It shall be illegal for any person to raise, inspect or take fish from any wire basket that may be legalized under the provisions of this Act unless such person shall hold in his name and have in his possession the license for the particular basket he is raising, inspecting or from which he is taking fish. Nothing in this section shall prevent the raising of such baskets for inspection by any officer, agent or employee of the Department of Conservation.

Section 9. Any person who violates the provision of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25. In addition, all basket licenses for such person shall be revoked, and no other such licenses shall be issued to him until the expiration of a period of 3 years from the date of such conviction.

Section 10. All laws or parts of laws, general, local or special, in conflict with this Act are hereby repealed.

Section 11. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 23 and 30, Feb. 6 and 13, all in the year 1964.

JACK HANKINS.

Sworn to and subscribed before me 4th day of August, 1964.

JULIA C. LOONEY,
Notary Public, State at Large.

Also:

By Mr. Hankins:

H. 95. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA LAMAR COUNTY

Notice is hereby given, that at the next special or regular session of

the Legislature of the State of Alabama, I intend to introduce a bill in the House of Representatives in substantially the following form:

AN ACT

To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Sulligent, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The NW $\frac{1}{4}$ of NW $\frac{1}{4}$, the S $\frac{1}{2}$ of NW $\frac{1}{4}$, the N $\frac{1}{2}$ of SW $\frac{1}{4}$, the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28; the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 29; the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30; the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 31; the NE $\frac{1}{4}$, the NW $\frac{1}{4}$, the W $\frac{1}{2}$ of SW $\frac{1}{4}$, the N $\frac{1}{2}$ of SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32; the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 33, all in Township 13 South of Range 15 West, and the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 4, of Township 14 South, Range 15 West, Huntsville Meridian, in Lamar County, Alabama.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1964.

JACK HANKINS.

Sworn to and subscribed before me August 4th, 1964.

JULIA C. LOONEY,
Notary Public, State at Large.

Also:

By Mr. Hankins:

H. 96. Regulating the compensation of election officers in counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Also:

By Mr. Hankins:

H. 97. To apply only in counties having populations of not less than 13,700 nor more than 14,300, relative to closing the office of officials in the courthouse.

Also:

By Mr. Hankins:

H. 98. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Also:

By Messrs. Hannah and Boston:

H. 99. To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Florence, in Lauderdale County, are hereby altered, rearranged, and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

A tract or parcel of land lying in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 47, Township 2 South, Range 11, West, described as beginning at a point on the present city limits of Florence, Alabama, said point being 510 feet east of the southwest corner of SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 27, thence north along said city limits 815.7 feet to the south line of Forest Hills Subdivision, said point also being the north line of Block 5 of Alexander Heights, 23 feet east of the northwest corner of Lot 3 of said Block 5, thence west 1193 feet, thence south along the west line of Harold Avenue 815.7 feet to the south line of Wright Drive, also being the south line of Section 27, thence east 1193 feet to the point of beginning, and being all of Blocks 1 and 2 and part of Blocks 3 and 5 of Alexander Heights, according to the plat of said subdivision recorded in the office of the Judge of Probate of Lauderdale County, Alabama, in Plat Book 3 on page 81; containing in all 23.2 acres more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said

State, this day personally appeared James P. Miller, who, being first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 16, Dec. 23, Dec. 30, 1963, and Jan. 6, 1964.

JAMES P. MILLER.

Sworn to and subscribed before me July 31, 1964.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

Also:

By Messrs. Hannah and Boston:

H. 100. Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other taxes imposed by law, every person, firm, or corporation who sells, stores, delivers, uses or otherwise consumes cigarettes, or cigars in Lauderdale County shall pay a privilege, license or excise tax in the following amounts:

(a) Two cents (\$0.02) for each package of cigarettes, made of tobacco or any substitute therefor.

(b) One cent (\$0.01) for each cigar of any description made of tobacco or any substitute therefor.

Provided, however, when the license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes and cigars such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes and on each cigar.

Section 2. Every person, firm, corporation, club, or association that sells or stores or receives for the purpose of distribution in Lauderdale

dale County any cigarettes or cigars shall add the amount of the license or privilege tax levied and assessed herein to the price of the cigarettes and cigars, it being the purpose and intent of this provision that the tax levied is, in fact, a levy on the consumer with the person, firm, corporation, club or association, who sells or stores or receives for the purpose or distributing the cigarettes or cigars, acting merely as agent for the collection of the tax. The dealer, storer, or distributor shall state the amount of the tax separately from the price of the cigarettes and cigars on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes and cigars. It shall be unlawful for any dealer, storer or distributor engaged in or continuing in the county in the business for which the tax is hereby levied to fail or refuse to add to the sales price and collect from the purchaser the amount due on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm, corporation, club or association violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail for not more than sixty days or by both such fine and imprisonment. Each act in violation of this section shall constitute a separate offense.

Section 3. The tax herein levied shall be paid through the use of stamps in denominations of the amount of tax to be affixed to the box, package, or container from or in which the products are normally sold at retail. The court of county commissioners, board of revenue, or other like governing body of the county shall allow discounts on the sale of stamps to any wholesaler or jobber qualified as such with the governing body at the rate of ten per cent (10%). The tax shall be collected and enforced, and shall be administered by such office or officer of Lauderdale County as may be designated by the court of county commissioners, board of revenue, or other like county governing body, in accordance with such rules, regulations, or orders as such county governing body may prescribe. The court, board or like governing body shall adopt necessary rules and regulations governing the collection and enforcement of the tax, and may prescribe penalties for violations thereof. Rules, regulations, and orders adopted or promulgated pursuant to this section shall have the force and effect of law. Whoever wilfully violates any such rule, regulation or order is guilty of a misdemeanor.

Section 4. The proceeds of the tax hereby levied, less cost of collection, including any discount allowed on the sale of stamps, shall be distributed as follows: Seventy-five per cent (75%) thereof shall be paid to the Lauderdale County Board of Education and shall be used exclusively for payment of salaries of employees of the board; twenty-five per cent (25%) shall be paid in to the general fund of the board of education of the City of Florence.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective 30 days after passage by the Legislature and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared James P. Miller, who, being first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 16, Dec. 23, Dec. 30, 1963, and Jan. 6, 1964.

JAMES P. MILLER.

Sworn to and subscribed before me July 31, 1964.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

Also:

By Messrs. Hannah and Boston:

H. 101. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

By Messrs. Hannah and Boston:

H. 102. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court

to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Inferior Court created by Act dated September 15, 1961, is hereby abolished.

Section 2. All cases now pending in said Lauderdale County Inferior Court hereby abolished shall be transferred to the court created by this Act, together with all papers and judgment entries pertaining to said cases, and further proceedings thereon had in said court as if such case or cases had originated therein.

Section 3. There is hereby established a court in and for said county which shall be called and known as Lauderdale County Court. The Lauderdale County Court shall not be considered a court of record.

Section 4. The court established by this Act shall have civil jurisdiction in cases at law in which the matter in controversy does not exceed Five Hundred (\$500) Dollars, exclusive of interest, attorney's fees, and costs, said jurisdiction to be concurrent with the jurisdiction of any other court in the county having jurisdiction in such cases.

Section 5. The court established by this Act shall have original criminal jurisdiction of all misdemeanors committed in Lauderdale County and all peace proceedings commenced in said county; and it shall have preliminary jurisdiction of all felony, bastardy, and peace proceedings cases and of all other criminal and quasi-criminal proceedings cognizable in justice of peace courts and of all cases arising under Article 3, Chapter 4, Title 34, Code of Alabama, 1940.

Section 6. In all criminal cases in this court hereby established, wherein justices of the peace had jurisdiction prior to October 1, 1961, there shall not be charged a solicitor's fee. In all other criminal cases solicitor's fees shall be taxed and collected as provided for under the general laws of the State of Alabama for criminal cases.

Section 7. The judge of the Lauderdale County Court must be a resident and qualified elector of Lauderdale County, admitted to the practice of law in the State of Alabama and not less than 30 years of age. The county governing body shall, immediately after this Act becomes effective, and at such times as a vacancy may occur, appoint a qualified person to serve as judge of the Lauderdale County Court until his successor is elected and qualified as herein provided. A judge of the court shall be elected by the qualified electors of Lauderdale County at the general election in November 1964, and every six years thereafter. He shall hold office for a term of six years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. The judge shall be entitled to carry on a general practice of law; provided, however, that he shall not act as attorney in any matter previously heard in this court nor shall he practice criminal law in any court in Lauderdale County, Alabama.

Section 8. The judge of the Lauderdale County Court shall receive a salary which shall be fixed by the county governing body of Lauderdale County, but in no event shall such salary be more than Eighty-four Hundred (\$8,400) Dollars per annum nor less than Seventy-Eight Hun-

dred (\$7,800) Dollars per annum, payable in equal monthly installments out of the general fund of Lauderdale County, Alabama, upon warrant of the Probate Judge of Lauderdale County. The Probate Judge is hereby authorized and directed to issue such warrants monthly.

Section 9. The Circuit Court Clerk of Lauderdale County shall be ex-officio clerk of the Lauderdale County Court. Said Clerk shall have the power to issue search warrants and shall also have all the powers and authority, both ministerial and judicial, which are now or which may hereafter be vested in the Clerk of the Circuit Court of Lauderdale County. Said clerk shall be entitled to fees in all civil causes as hereinafter set out in section 13 and in all criminal cases the clerk shall be entitled to the same fees, and shall be paid in the same manner as are now or may hereafter be allowed to ex-officio clerks of county courts, law and equity courts and courts of like jurisdiction under the general laws of the State of Alabama. The county governing body may require a bond of the clerk not to exceed Five Thousand (\$5,000) Dollars.

Section 10. The clerk of the Lauderdale County Court shall keep a docket book or books in which he shall make fair and accurate entries of all causes brought before the court, and shall keep minutes of all the proceedings, including the service and return of process, the appearance of such parties as may appear, the fact of trial, the judgment, including damages, fine and sentence, with costs separately stated, the issuing of execution and to whom issued, with the date thereof and the return thereon, and a memorandum of the items of all costs, including witness fees, which shall be in the same amount and paid in the same manner as now exists in the Circuit Court of Lauderdale County. The docket or a certified copy thereof shall be evidence of the matters therein stated.

The clerk shall also be under the duty to do any and all other acts necessary or incident to the efficient operation of the court created by this Act.

Section 11. Said court shall be in session continuously from day to day. Cases may be set for trial at any time. The clerk of said court shall keep and maintain a trial calendar and the placing of any case on said trial calendar with the date of trial shall be notice to all persons.

Section 12. (a) A civil action shall be commenced by the filing of a statement of a claim, including the last known address of the defendant, in concise form and free from technicalities.

(b) A notice to appear shall be served on the defendant to which shall be attached a copy of the verified statement of claim, and such service shall be sufficient to give the court jurisdiction of the premises. The time for appearance shall be not more than ten days from the date of the service of said notice, after which time a hearing on the claim shall be had. All processes issued by the court shall be served by the Sheriff of Lauderdale County or by Registered or Certified mail with return receipt, or by any person not a party to or otherwise interested in the suit, especially appointed by the judge for that purpose. For the services of such processes, the Sheriff shall receive the same fees as are allowed by law to him for similar services performed in the Circuit Court.

(c) When notice is served by Registered or Certified mail, the clerk shall enclose a copy of the statement of claim, verification, if any there be, and notice in an envelope addressed to the defendant, at his last known address, prepay the postage and mail the same forthwith, noting on the record the day and hour of mailing. When the return receipt indicating that delivery has been made to the defendant is received, the clerk shall attach the same to the original statement of claim

and it shall constitute prima facie evidence of service upon the defendant.

(d) When service is by a private individual, as above provided, he shall make proof of service by an affidavit, showing the time and place of service on the defendant.

(e) The plaintiff shall be entitled to a judgment by default, without further proof, upon failure of defendant to appear as ordered by the court. When the claim of the plaintiff is verified and for a liquidated amount damages may be assessed without further proof; when the amount is unliquidated, plaintiff shall be required to present proof of his damages.

Section 13. The clerk shall be allowed a fee of \$3.50 in all cases in which the matter in controversy does not exceed \$100.00, and in all cases in which the matter in controversy exceeds \$100.00, the clerk shall be allowed a fee of \$6.00; provided, however, that in all proceedings of garnishment, replevin, and attachment the fee allowable to the clerk shall be \$7.00. In addition to all other costs, the clerk shall collect the sum of Fifty Cents (\$.50) per case library tax.

Section 14. (a) On the return day or within ten days thereafter, as the judge may designate, the trial shall be had. Immediately prior to the trial of any case, the judge shall make earnest effort to settle the controversy by conciliation. If the judge fails to induce the parties to settle their differences without a trial, he shall proceed with a hearing on the merits.

(b) The judge shall conduct the trial in such manner as to do substantial justice between the parties according to the rules of substantive law, and all rules and regulations relating to pleading, practice and procedure shall be liberally construed so as to administer justice.

(c) If the plaintiff fails to appear, the suit may be dismissed for want of prosecution, or defendant may proceed to a trial on the merits, or the case may be continued, as the judge may direct. If both parties fail to appear, the judge may continue the case, or order the same dismissed for want of prosecution, or may make any other just and proper disposition thereof as justice may require.

Section 15. The judge of said court shall forthwith from time to time make rules for a simple, inexpensive and speedy procedure to effectuate the purposes of this Act and shall have full power to prescribe, modify and improve the civil forms to be used therein, including forms of writs of attachment, garnishment and replevin. All rules and forms authorized by this section shall be effective upon approval of the presiding judge of the Circuit Court in which Lauderdale County is located.

Section 16. (a) Judgments of the Lauderdale County Court may be recorded in the same manner, under the same conditions and, when so registered, shall have the same effect as judgments in circuit courts.

(b) Upon judgment being entered in any cause, execution may thereupon be issued against the party against whom the judgment is rendered for the amount of such judgment and costs, and such execution shall be directed to any sheriff or constable of the State of Alabama, and shall be of full force throughout the State.

Section 17. Prosecution for misdemeanors committed in Lauderdale County may be commenced in this court by making an affidavit before the judge or clerk of said court, writ on said affidavit to be issued by the clerk and when the defendant is arrested on such affidavit, said cause shall go on the docket for trial, and be tried as though the

defendant had been indicted by a grand jury. An amendment of the affidavit without the defendant's consent shall entitle the defendant to a continuance.

Section 18. There shall be no right to trial by jury in the Lauderdale County Court, either in civil or criminal cases.

Section 19. Appeals may be had to the Circuit Court of Lauderdale County from judgments returned in the Lauderdale County Court, in the same manner that appeals may be taken from judgments in justice of the peace courts, and all provisions of law which apply to and govern appeals from justice of the peace courts shall also apply to and govern appeals from the Lauderdale County Court.

Section 20. The county governing body shall furnish suitable quarters for the court hereby established and provide the necessary forms, books, records, stationery, equipment and supplies required for the efficient functioning of the court.

Section 21. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 22. All laws or parts of laws which conflict with this Act are repealed.

Section 23. This Act shall become effective on the first day of the month succeeding its passage into law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared James P. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 16, Dec. 23, Dec. 30, 1963, and Jan. 6, 1964.

JAMES P. MILLER.

Sworn to and subscribed before me July 31, 1964.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

Also:

By Mr. Turnham:

H. 103. Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lee County, the coroner shall be entitled to a monthly allowance of \$50 payable from the county treasury in lieu of mileage as prescribed in Code 1940, Title 11, Sections 94 and 95. However, such mileage fees as accrue to the coroner must be taxed, collected, and paid in the same manner that sheriff's fees for like services are taxed, collected, and paid, and when collected, shall be paid into the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 30, Nov. 6, Nov. 13, and Nov. 20, all in the year 1963.

W. C. WEAR, JR.

Sworn to and subscribed before me Nov. 21, 1963.

DOROTHY W. MITCHELL,
Notary.

Also:

By Mr. Turnham:

H. 104. Relating to Lee County; fixing the pay of jurors, grand and petit.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lee County; fixing the pay of jurors, grand and petit.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lee County, regular jurors, grand and petit, are entitled to ten dollars for each day's service, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon it otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 30, Nov. 6, Nov. 13, and Nov. 20, all in the year 1963.

W. C. WEAR, JR.

Sworn to and subscribed before me Nov. 21, 1963.

DOROTHY W. MITCHELL,
Notary.

Also:

By Mr. Turnham:

H. 105. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 49,500 nor more than 50,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 108. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

Also:

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 109. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the payment of the compensation of members and chairman of the county governing body.

Also:

By Messrs. Brewer and Slate:

H. 146. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000.

Also:

By Messrs. Brewer and Slate:

H. 147. To provide for the payment of an expense allowance for certain members of the board of revenue and control, court of county commissioners, or like governing body in every county having a population of not less than 57,000 nor more than 61,500 for expenses incurred in the performance of their duties.

Also:

By Messrs. Brewer and Slate:

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Decatur in Morgan County are hereby altered, rearranged, and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

A tract of land containing 51.66 acres lying in the E½ and the NE¼ of the NW¼ of Section 31, Township 5 South, Range 4 West, described as beginning at the southeast corner of Section 31, Township 5 South, Range 4 West, and running north along section line 3207.78 feet to a point on the westerly right of way line of the L & N Railroad; thence turning an angle of 171 degrees 11 minutes measured clockwise from back tangent and running northwesterly along said right of way line 23.38 feet to the true point of beginning; thence continuing northwest-

erly along said right of way line 765.41 feet to a point; thence turning a deflection angle of 81 degrees 11 minutes to the left and running west 2244.93 feet to a point; thence turning an angle of 90 degrees and running north 628.26 feet to a point; thence turning an angle of 85 degrees 27 minutes measured clockwise from back tangent and running westerly 431.16 feet more or less to the centerline of a public road; thence running southerly along the center line of said public road to an iron pin, said pin being the southeast corner of the NE¼ of the NW¼ of Section 31; thence running along quarter section line 756.37 feet to a point; thence turning an angle of 90 degrees 03 minutes measured clockwise from back tangent and running east 2676.23 feet to the true point of beginning.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1963.

/s/ B. C. SHELTON.

Sworn to and subscribed before me 15th August, 1963.

/s/ R. H. JERVIS,
Notary Public.

Also:

By Messrs. Brewer and Slate:

H. 149. To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the boundary lines of the Town of Trinity, In Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30, Township 5 South, Range 5 West; also That part of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying south of the Decatur-Moulton Highway, and that part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying south of the Decatur-Moulton Highway, all in Section 30, Township 5 South, Range 5 West; also A tract described as beginning at the northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 5 South, Range 5 West, and running thence north to a point 449 feet south of the north margin of said Section 19; thence west 212.42 feet; thence north 449 feet to the north margin of said section 19; thence east 212.42 feet; thence north to the southerly margin of the Southern Railroad Company right-of-way; thence southeasterly along the Southern Railroad Company right-of-way to the present City Limit line; thence south along the present City Limit line to the northerly margin of the SE $\frac{1}{4}$ of said Section 19; thence west along the northerly margin of said SE $\frac{1}{4}$ of said Section 19 to the point of beginning.

SECTION 2. This Act shall be effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 23rd, July 30th, August 6th, and August 13th, all in the year 1963.

/s/ B. C. SHELTON.

Sworn to and subscribed before me August 14th, 1963.

(SEAL)

/s/ P. H. JERVIS,
Notary Public.

Also:

By Mr. Bassett:

H. 150. TO AMEND SECTION 2, OF ACT NO. 259, H. 507, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX ASSESSOR OF PIKE COUNTY.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF PIKE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 259, H. 507, Regular Session 1951, an act providing a deputy for the tax assessor of Pike County.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 259, H. 507, Regular Session 1951, an act providing a deputy for the tax assessor of Pike County (Acts 1951, v. 1, p. 540) is hereby amended to read as follows:

"Section 2. That the salary of such deputy tax assessor shall be determined by the Court of County Commissioners of Pike County, Alabama in an amount not to exceed \$2,400 per year, and shall be payable in equal monthly installments from the general fund of said county."

STATE OF ALABAMA
PIKE COUNTY

Before me, Louise M. Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice To amend section 2 of act no 259, H, 507, Regular Session 1951 providing for a deputy for the Pike County Tax Assessor was published in said newspaper 4 times, the same appearing in the issues dated: July 10, 17, 24, 31, 1963.

M. F. BOISCLAIR,
Business Manager.

Sworn to and subscribed before me this the 3rd day of August, 1964.

LOUISE M. EMERSON,
Notary Public,
Pike County, Ala.

Also:

By Mr. Bassett:

H. 151. TO AMEND SECTION 2, OF ACT NO. 258, H. 506, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX COLLECTOR OF PIKE COUNTY.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF PIKE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 258, H. 506, Regular Session 1951, an act providing a deputy for the tax collector of Pike County.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 258, H. 506, Regular Session 1951, an act providing a deputy for the tax collector of Pike County (Acts 1951, v. 1, p. 539) is hereby amended to read as follows:

"Section 2. That the salary of such deputy tax collector shall be determined by the Court of County Commissioners of Pike County, Alabama, in an amount not to exceed \$2,400 per year, and shall be payable in equal monthly installments from the general fund of said county."

**STATE OF ALABAMA
PIKE COUNTY**

Before me, Louise M. Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice To amend section 2 of act no. 258, H. 506, Regular session 1951, providing a deputy for Pike County Tax Collector was published in said newspaper 4 times, the same appearing in the issues dated: July 10, 17, 24, 31, 1963.

M. F. BOISCLAIR,
Business Manager.

Sworn to and subscribed before me this the 3rd day of August, 1964.

LOUISE M. EMERSON,
Notary Public,
Pike County, Ala.

Also:

By Mr. Bassett:

H. 152. TO AMEND SECTION 1 OF ACT NO. 332, H. 602, REGULAR SESSION 1961, AN ACT PROVIDING FOR A CLERK OF THE JUVENILE COURT OF PIKE COUNTY (ACTS 1961, V. 1, P. 358).

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF PIKE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 1 of Act No. 332, H. 602, Regular Session 1961, an act providing for a clerk of the juvenile court of Pike County (Acts 1961, v. 1, p. 358).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 332, H. 602, Regular Session 1961, an act providing for a clerk of the juvenile court of Pike County (Acts 1961, v. 1, p. 358) is hereby amended to read as follows:

"Section 1. The Court of County Commissioners of Pike County is hereby authorized to provide a clerk of the Juvenile Court of Pike County, to be appointed by and to hold office at the pleasure of the judge of

said court, which clerk of the Juvenile Court may also serve as a probate clerk and who shall be entitled to receive a salary to be fixed by the Court of County Commissioners not to exceed \$2,400 per annum."

STATE OF ALABAMA
PIKE COUNTY

Before me, Louise M. Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice To ammend Sector 1 of act no. 332 H, 602, Regular session 1961, providing for a clerk of Juvenile Court, of Pike County was published in said newspaper 4 times, the same appearing in the issues dated: July 10, 17, 24, 31, 1963.

M. F. BOISCLAIR,
Business Manager.

Sworn to and subscribed before me this the 3rd day of August, 1964.

LOUISE M. EMERSON,
Notary Public,
Pike County, Ala.

Also:

By Mr. Bassett:

H. 153. TO AMEND SECTION 2 OF ACT NO. 148, S. 185, REGULAR SESSION 1955, AN ACT PROVIDING FOR A DEPUTY CIRCUIT CLERK FOR PIKE COUNTY.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF PIKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2, of Act No. 148, S. 185, Regular Session 1955, an act providing for a deputy circuit clerk for Pike County.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 148, S. 185, Regular Session 1955, an act providing a deputy clerk for the circuit clerk of Pike County (Acts 1955, v. 1, p. 394) is hereby amended to read as follows:

"Section 2. That the salary of such deputy circuit clerk shall be determined by the Court of County Commissioners of Pike County, Alabama in an amount not to exceed \$2,400 per year and shall be payable in equal monthly installments from the general fund of said county."

STATE OF ALABAMA
PIKE COUNTY

Before me, Louise M. Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being

sworn deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice To ammend sector 2 of act no. 148 s. 185 regular session 1955 providing for a deputy circuit clerk for Pike County was published in said newspaper 4 times, the same appearing in the issues dated: July 10, 17, 24, 31, 1963.

M. F. BOISCLAIR,
Business Manager.

Sworn to and subscribed before me this the 3rd day of August, 1964.

LOUISE M. EMERSON,
Notary Public,
Pike County, Ala.

Also:

By Mr. Holladay:

H. 154. To amend Act No. 218 S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

The following bill will be introduced at the next special or regular session of the Legislature of the State of Alabama.

A BILL TO BE ENTITLED AN ACT

To amend Act No. 218 S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county,

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 218, S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county (Acts 1955, v. 1, p. 529) is hereby amended to read as follows:

"Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of four thousand eight hundred dollars (\$4,800) per annum. The other two deputies in the office of the sheriff of St. Clair County shall each receive a salary of four thousand two hundred dollars (\$4,200) per annum. The salaries of the chief deputy & the other two deputies shall be paid in equal monthly installments out of the general fund of the county"

Section 2. All laws or parts of law which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Pat G. Cobb, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 1/2, 1/9, 1/16, and 1/23, all in the year 1964.

PAT G. COBB,
Bookkeeper.

Sworn to and subscribed before me 4-2, 1964.

ETHEL BLAIR,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 3, 4, 5, 20, 21, 22, 32, 33, 34, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 108, 109, 146, 147, 148, 149, 150, 151, 152, 153, and 154. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Holladay:

H. 155. Relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places.

Also:

By Messrs. Camp and Bolton:

H. 157. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

Also:

By Messrs. Camp and Bolton:

H. 158. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-five Thousand (65,000) nor more than Ninety-five Thousand (95,000), according to the most recent Federal decennial census.

Also:

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 160. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Also:

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property annexed to municipalities in such counties, and in newly incorporated areas.

Also:

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 38. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next general or special session of the Legislature of ALABAMA application will be made to the Legislature that the following bill be enacted:

A BILL TO BE ENTITLED AN ACT

To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 19 of Act 333, Acts of Alabama 1953, approved August 17, 1953, is hereby amended so as to read as follows:

Section 19. Notices of the requirement of the attendance of jury service may be served by first class mail, or may be served as provided by Section 33, of Title 30, Code of Alabama, 1940. Should in the discretion of the Sheriff, the service be made by first class mail, such service shall be as follows: It shall be the duty of the Sheriff of the County to enclose the summons in an envelope addressed to the person to be served and place all necessary postage and a return address thereon with notice to the postal authorities not to forward outside of Jefferson

County, Alabama. In the event said jury summons is returned to the Sheriff by the Post Office Department of the United States without delivery the summons shall be by the Sheriff returned NOT FOUND. All jury summons not returned by said Post Office Department shall be considered for all purposes as sufficient personal and legal service. The provisions of this Section in reference to service by mail, however shall not apply to jury summons returnable before the Court instanter, but such summons shall be served only as provided by Section 33 of Title 03, Code of Alabama of 1940.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of January 11, 18, 25, and February 1, 1964, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 3 day of February, 1964.

MILDRED M. GRIFFIN,
Notary Public.

Also:

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 40. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

Also:

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Vacca, Sessions, Hawkins, Bailes and Morrow:

H. 41. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

Also:

By Messrs. Vacca, Gilmore, Rast, Brown (Jefferson), Etheredge, Collins, Meeks, Perry, Bowers, Bethea (M.), Sessions, Locke, Bethea (B.), Hawkins, Bailes and Morrow:

H. 42. To authorize the governing body of any county having a population of 500,000 or more according to the last or any subsequent federal census to compensate any person for any injury to him or damage to his property by a motor vehicle operated by an employee of the county in the course of his employment where the governing body finds that the negligence of said employee was the proximate cause of such injury or damage, that the person who was injured or whose property was damaged was not guilty of any negligence proximately causing said injury or damage and that the circumstances of the injury or damage were such as to make compensation just and proper; and authorizing the county governing body to provide liability insurance for such purpose.

Also:

By Messrs. Rast, Brown (Jefferson), Collins, Perry, Bowers, Bethea (M.), Vacca, Gilmore, Sessions, Bethea (B.), Hawkins, Bailes and Morrow:

H. 43. To amend SECTION 3 OF ACT NO. 695 OF THE 1951 LEGISLATURE.

Also:

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M.), Vacca, Gilmore, Sessions, Bethea (B.), Locke, Hawkins, Bailes and Morrow:

H. 44. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Also:

By Messrs. Perry, Rast, Brown (Jefferson), Etheredge, Collins, Meeks, Dominick, Bethea (M.), Vacca, Gilmore, Sessions, Locke, Bailes, Hawkins, Morrow and Bowers:

H. 47. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to

fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

There will be introduced at the Alabama Legislature the following bill to become a Local Act:

A BILL TO BE ENTITLED AN ACT

To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms of tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Nov. 1, 8, 15, 22, 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of January, 1964.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Hawkins, Bailes, Morrow and Bowers:

H. 48. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such Mayor all at the expense of such city.

Also:

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 49. TO PROVIDE FOR AND FIX THE SUM OF THREE HUNDRED DOLLARS PER MONTH AS AN ALLOWANCE FOR EXPENSES FOR THE MAYOR OR OTHER CHIEF EXECUTIVE OFFICER OF ANY CITY HAVING A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS FOR WHICH HE SHALL NOT BE REQUIRED TO FILE AN ACCOUNTING.

Also:

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Hawkins, Bailes, Morrow and Bowers:

H. 50. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Also:

By Messrs. Brown (Jefferson), Gilmore, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Sessions, Perry, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 51. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
OF THE INTENTION TO APPLY FOR THE PASSAGE OF
AN ACT

Notice is hereby given of the intention to apply to the Legislature of the State of Alabama at its next session, regular or special, for the passage of a law to amend Act 429 of the Acts of the Regular Session of 1949, Section XV, and to provide for and fix the salaries of members

of the Commission or Board of Commissioners (including the President of such Commission or Board) of the City of Bessemer, Alabama, and to fix the time and regulate the mode of payment of such salaries; to provide further that in such municipality that the President of such Commission shall be and act and be constituted as the supervisor of the municipal electrical, light and power system and the municipal water system and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the President of such Commission for his services and as such supervisor out of the funds of the municipal light and power system and municipal water system; to provide that this act shall become effective on the 1st day of October, 1966.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Jan. 24-31-Feb. 7-14, 1964 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 3 day of Aug. 1964.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Perry, Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 52. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Hawkins, Bailes, Morrow and Bowers:

H. 55. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Also:

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 56. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

THE STATE OF ALABAMA
JEFFERSON COUNTY

NOTICE is hereby given that a Bill will be introduced at the next Special or Regular Session of the Alabama Legislature for the passage of an ACT to increase the annual salaries of the Judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said Judges.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of November 16, 23, 30; Dec. 7, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 28th day of July, 1964.

ANGIE CAMPISI,
Notary Public.

Also:

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Perry, Bethea (M), Vacca, Gilmore, Brown (Jefferson), Sessions, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 57. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regulate the payment of the salaries of said judge:

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE is hereby given that a bill will be introduced in the next regular or special session of the Legislature of Alabama which will increase the compensation to be paid the Judge of the Jefferson County Criminal Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of November 16, 23, 30; Dec. 7, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 30th day of July, 1964.

ANGIE CAMPISI,
Notary Public.

Also:

By Messrs. Gilmore, Brown (Jefferson), Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Sessions, Perry, Locke, Hawkins, Bailes, Morrow and Bowers:

H. 58. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, is hereby amended to read as follows:

"Section 3. That said assistant to the Sheriff shall be paid an annual salary of eleven thousand dollars (\$11,000.00) to be paid out of the County Treasury as the salaries of other County employees are paid."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Jan. 31st, Feb. 7-14-21, 1964 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 21st day of Feb. 1964.

W. E. MILLER,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 155, 157, 158, 160, 37, 38, 40, 41, 42, 43, 44, 47, 48, 49, 50, 51, 52, 55, 56, 57 and 58. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brown (Jefferson), Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Sessions, Perry, Locke, Bailes, Hawkins, Morrow and Bowers:

H. 53. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

By Messrs. Rast, Collins, Etheredge, Dominick, Meeks, Bethea (M), Vacca, Gilmore, Sessions, Locke, Bailes, Hawkins, Brown (Jefferson), Morrow and Bowers:

H. 54. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 53 and 54. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 4. Relative to expressing regret upon the death of the Honorable W. L. ("Doc") Martin.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 5. Relative to memorializing Congress to propose an amendment to the Constitution of the United States relative to apportionment of state legislatures.

Also:

H. J. R. 6. Relative to appointing an interim committee to study legislative apportionment.

Also:

H. J. R. 7. Relative to commending Governor George Wallace for his actions as conservator of constitutional government.

Also:

H. J. R. 8. Relative to inviting Miss Katy Sue Meredith, National Maid of Cotton, to address the Legislature.

Also:

H. J. R. 9. Relative to expressing regret upon the death of the Honorable Stephen Reese White, former member of the House of Representatives.

Also:

H. J. R. 10. Relative to commemorating the naval engagement of the Battle of Mobile Bay.

Also:

H. J. R. 11. Relative to naming and designating the proposed vehicular tunnel under the Mobile River, The George C. Wallace Tunnel.

Also:

H. J. R. 12. Relative to approving any congressional action which would stay federal judicial interference on reapportionment questions.

Also:

H. J. R. 13. Relative to endorsing and commending Governor George Wallace for his leadership and aggressive campaigns out of the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 15. Relative to members of the two houses representing the State of Alabama at the National Conference of State Legislative Leaders.

Also:

H. J. R. 16. Relative to inviting Governor Carl Sanders of Georgia to address the joint session of the Legislature of Alabama.

Also:

H. J. R. 17. Relative to expressing great pleasure at the news of the recovery of Mrs. Edna Harris.

Also:

H. J. R. 22. Relative to expressing regret upon the death of former Representative Gilbert Eugene Davis, Sr.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Pennington, Snell, Carr, Baker (Madison) and Reynolds:

H. J. R. 23. WHEREAS Members of the Legislature of Alabama are finding it increasingly difficult to rely upon obtaining parking space in and around the capitol grounds or in reasonably accessible areas; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a Legislative Committee shall be created, to be composed of three members of the House to be appointed by the Speaker and two members of the Senate to be appointed by the President. It shall be the duty of the committee to call upon the executive department of the State and to obtain therefrom a designated area for the parking of automobiles of the members of the House and Senate. Parking spaces within such areas shall be assigned separately to individual members for parking purposes during such time as the Legislature shall be in session.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Eddins, the Rules were suspended and the Resolution, HJR 23, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. McDow and Carter.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Mashburn:

H. J. R. 24. WHEREAS the Bay Minette Key Club for the second successive year has been voted the most outstanding club in the entire

organization which consists of more than 2,600 clubs throughout the nation; and

WHEREAS Key Clubs, sponsored by Kiwanis International, are devoted to directing the interests and efforts of young school-age men in worthwhile activities and purposeful pursuits, as well as in wholesome recreation; and

WHEREAS Mr. John H. White, affectionately called "Judge", has been the leading figure in the organization and progress of the Bay Minette Key Club to which he has contributed so much time, effort, and patient understanding; and

WHEREAS the outstanding success of the Bay Minette Key Club is the result of the fine spirit of cooperation that exists among the individual members, with the wholehearted assistance and encouragement of the faculty and community leaders, and particularly of "Judge" White, Key Club advisor; Mr. C. B. Daniel, principal of the Baldwin County High School; Mr. John Earl Chason of the Kiwanis Key Club Committee; Coach Joe Berry, faculty advisor; Kim Johnson, 1963 Club president; and Jack Robertson, Jr., 1964 club president; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we heartily commend the Bay Minette Key Club for its successful achievement in having been chosen the outstanding club in the entire Key Club organization and wish to extend our congratulations and appreciation especially to Mr. White, Mr. Daniel, Mr. Chason, Mr. Berry, and to Kim Johnson, and Jack Robertson, Jr.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the above named persons and to the Baldwin Times, the Foley Onlooker and the Fairhope Courier.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brannan, the Rules were suspended and the Resolution, HJR 24, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Powell:

H. J. R. 25. WHEREAS Alabama Code 1958, Title 36, Section 58(3) authorizes the Director of Public Safety and the Highway Director to vary speed limits for motor vehicles on public highways, and in pursuance of such authority all interstate highways have been posted at 70 miles an hour by day and 60 miles an hour by night; and

WHEREAS there are other 4-lane highways not in the interstate system which are so constructed and engineered as to permit safe driving thereon at similar speeds; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body approves of a maximum daytime speed limit of 70 miles an hour on all 4-lane highways,

with a nighttime maximum of 60 miles per hour; and the Director of Public Safety and the Highway Director are urged to cause such highways to be so posted and marked.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 25, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTIONS

Messrs. Carter and Shelton offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. WHEREAS, each year one of the top four winners of the "Miss Guntersville Lake Beauty Pageant" is designated by the Pageant Committee as "Miss Sun-Fun Alabama" to represent this state in the national contest held annually in Myrtle Beach, South Carolina, wherein the winner is designated "Miss Sun-Fun U. S. A."; and she also receives a sizeable cash award, is royally entertained for a Sun-Fun week at Myrtle Beach, and becomes a year round "Ambassador for Sun-Fun and the Grand Strand of South Carolina"; and

WHEREAS, Miss Linda Vaughn, whose rare beauty and charming personality had already won for her many honors, among them, the titles "Miss Anniston of 1963", and "Miss Guntersville Lake of 1963", a spot in the Beauty Section of Auburn University's "Glomerata", and the designation as one of Auburn University's "Greek Goddesses", was named this year as "Miss Sun-Fun, Alabama" by the Guntersville Lake Pageant Committee; and

WHEREAS, Miss Vaughn has recently been declared the winner in this national contest and will reign as "Miss Sun-Fun U. S. A.—1964" for the ensuing year; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama congratulates Miss Vaughn on winning this signal honor. We are proud to have this beautiful young lady represent our state and commend the contest judges on the excellent judgment they showed by selecting Miss Vaughn, as "Miss Sun-Fun U. S. A. 1964."

BE IT FURTHER RESOLVED That we extend to Miss Vaughn our best wishes for a year filled with many enjoyable and profitable events. We are confident that wherever she goes her outstanding beauty, her poise and charm of manner will reflect honor and glory on Alabama.

The Secretary of the Senate is hereby directed to send a copy of this resolution to the Guntersville Junior Chamber of Commerce, which sponsors the Guntersville Beauty Pageant, a copy to Miss Linda Vaughn, a copy to her parents, Mr. and Mrs. Boyd Vaughn, and a copy to the Press.

On motion of Mr. Shelton, the Rules were suspended and the Resolution, SJR 7, was adopted by the Senate.

Mr. Shelton offered the following Senate Resolution, to-wit:

S. R. 8. RESOLVED BY THE SENATE that the Secretary of Senate is hereby directed, with the assistance of the Director of the Building Commission, or some reputable firm, to investigate the cost of repairing the walls in the North Wing of the State Capitol, and to proceed with

the repairing of same in order that the work may be completed before the Regular Session 1965, upon approval of Legislative Council.

And on motion of Mr. Shelton, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 5. Relating to the Municipality of Decatur, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the City of Decatur, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lolley	Reynolds	
Brannan	Hammond	McCain	Shelton	
Carter	Hawkins	McDow	Smith	
Clark	Hornsby	Metcalf	Taylor	
Cooper	Horton	Montgomery	Tyson	
Dumas	James	Oden	Wilson	
Eddins				—24

Nays:

—0

The Bill:

S. 8. To regulate the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds	
Adams	Gilchrist	Mathews	Roberts	
Allen	Givhan	McCain	Robison (Montgomery)	
Bentley	Horton	McDow	Robison (Pickens)	
Cooper	James	Metcalf	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays:

—0

The Bill:

S. 9. Relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of a clerk for the board of registrars whose compensation shall be paid by the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Metcalf	Shelton
Carter	Hornsby	Montgomery	Smith
Clark			—24

Nays:

—0

The Bill:

S. 10. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-five Thousand (65,000) nor more than Ninety-five Thousand (95,000), according to the most recent Federal Decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Metcalf	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 11. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.
was taken up.

Mr. McDow offered the following amendment to the Bill, to-wit:

Amendment to S. B. 11

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Robison (Pickens)
Cooper	James	Metcalf	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

And said Bill, S. B. 11, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Robison (Pickens)
Cooper	James	Metcalf	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays: —0

The Bill:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Clark			—24

Nays: —0

The Bill:

S. 15. Relating to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds	
Brannan	Hawkins	McCain	Shelton	
Carter	Hornsby	McDow	Smith	
Clark	Horton	Metcalf	Taylor	
Cooper	James	Montgomery	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays:

—0

The Bill:

S. 61. To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds	
Adams	Gilchrist	Mathews	Roberts	
Allen	Givhan	McCain	Robison (Montgomery)	
Bentley	Horton	McDow	Taylor	
Cooper	James	Montgomery	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays:

—0

The Bill:

S. 64. To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts	
Adams	Gilchrist	Mathews	Robison (Montgomery)	
Allen	Givhan	McCain	Robison (Pickens)	
Bentley	Hammond	McDow	Shelton	
Brannan	Hawkins	Metcalf	Smith	
Carter	Hornsby	Montgomery	Taylor	
Clark				—24

Nays:

—0

The Bill:

S. 65. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body of all counties having populations of not less than 24,525 nor more than 24,675.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 66. For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Metcalf	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 69. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Clark			—24

Nays:

—0

The Bill:

S. 70. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

was taken up.

Mr. Bentley offered the following amendment to the Bill, to-wit:

Amendment to S. B. 70

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Reynolds
Bentley	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Metcalf	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

And said Bill, S. B. 70, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Reynolds
Bentley	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Metcalf	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 74. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Horton	McDow	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Clark			—24

Nays:

—0

The Bill:

S. 89. Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Metcalf	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 90. Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 91. Relating to Greene County; providing for the relief of P. T. Martin.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Metcalf	Shelton
Carter	Hornsby	Montgomery	Smith
Clark			—24

Nays:

—0

The Bill:

S. 98. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Metcalf	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 99. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 73. To apply in all counties having populations of not less than 30,550 nor more than 31,000, regulating the compensation of members of the county governing body.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Lolley	Montgomery	Taylor
Clark			

—24

Nays:

—0

The Bill:

S. 16. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Roberts
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 17. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 18. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Dumas			

—24

Nays:

—0

The Bill:

S. 19. To amend the Title and Section 1 of Act No. 663, S. 132, approved September 6, 1961 (Acts of 1961, p. 827) entitled "An Act to provide for and regulate general and special elections in the cities and towns of this State, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election

officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections: providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast: designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor: prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the City or Town holding such elections."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Metcalf	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 20. To establish an Inferior Court in Precincts 9, 10, 21 and 42 in Jefferson County Ala. and in all other precincts lying within or partly within the City of Birmingham, Ala. except Precincts 29, 45 and 52 in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace, and in lieu of all other inferior courts created in lieu of justices of the peace heretofore created in said territory and with concurrent jurisdiction with all other justices of the peace and inferior courts in the Birmingham Division of Jefferson County, Alabama, to define the jurisdiction and powers of said court, the judge, clerks and other officers thereof: to provide for a place of holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

Amendment to S. B. 20

Amend the title of Senate Bill 20 so that said title shall read as follows:

To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due

to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

Amend Section 1 of Senate Bill 20 so that Section 1 reads as follows:

Section 1. There is hereby established an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and in all other precincts lying within or partly within the City of Birmingham, Alabama, according to its present or future limits, which shall be known and designated as the Court of General Sessions of Jefferson County, Alabama and which shall be in lieu of all justices of the peace, notaries public with powers of Justices of the peace and ex officio justices if the peace within said precincts. Said Court of General Sessions shall have concurrent jurisdiction with all justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County other than said numbered precincts. The Court of General Sessions shall have all the powers and jurisdiction now conferred or that may hereafter be conferred in civil cases upon justices of the peace or on this court, and the judge of said court shall have and exercise all the power and authority, and shall perform all the duties now prescribed by law or may hereafter be prescribed by law for a justice of the peace and as set out in this Act.

Amend Section 3 of Senate Bill 20 so that Section 3 reads as follows:

Section 3. That the judge of this court shall hold court at least one time each week, and such other times as may be necessary to dispatch the business of the court in that part of the City of Birmingham known as North Birmingham. Upon the abolishment of the Municipal Court of Ensley the judge of the Court of General Sessions shall also hold court at least one time each week and such other times as may be necessary to dispatch the business of the court in that part of the City of Birmingham known as Ensley. All other times the judge of said court shall hold court in the courthouse in the City of Birmingham. It shall be the duty of the Board of Commissioners of Jefferson County, Alabama to provide suitable places for holding said court.

Amend Section 6 of Senate Bill 20 so that Section 6 reads as follows:

Section 6. The judge shall also appoint a deputy clerk for the division of said court in North Birmingham and upon the abolishment of the Municipal Court of Ensley the judge shall also appoint a deputy clerk for the division of said court in Ensley. These deputy clerks duties and responsibilities shall be the same and who shall give bond as required herein above for the clerk of this court.

Amend Section 17 of Senate Bill 20 so that Section 17 reads as follows:

This court shall have exclusive jurisdiction of all civil cases defined as to amount and kind in Section 19 of this Act in precincts 9, 10, 21 and 42 and concurrent jurisdiction of said civil cases in precincts 29, 45 and 52 and any other precincts lying within or partly within the City of Birmingham, Alabama, with any other inferior court now or hereafter created with jurisdiction in said precincts.

Amend Senate Bill 20 by adding thereto Section 29-A.

Section 29-A. That the Municipal Court of Ensley be and same is hereby abolished effective on the first Monday after the second Tuesday of January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event

occurs first. At the time of the abolishment of the Municipal Court of Ensley, all pending cases in said court together with all documents, papers and judgments of said court shall be transferred to the Court of General Sessions of Jefferson County as if they had been begun there and said Court of General Sessions shall have power and control over the same and may issue executions or other processes thereon the same as if the judgment had been originally rendered by said Court of General Sessions.

Amend Section 32 of Senate Bill 20 so that Section 32 reads as follows:

Section 32. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Smith
Bentley	Hammond	McDow	Taylor
Brannan	Hawkins	Metcalf	Tyson
Carter	Hornsby	Oden	Wilson
Dumas			

—24

Nays:

—0

And said Bill, S. B. 20, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Smith
Bentley	Hammond	McDow	Taylor
Brannan	Hawkins	Metcalf	Tyson
Carter	Hornsby	Oden	Wilson
Dumas			

—24

Nays:

—0

The Bill:

S. 21. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other

officials with respect to said Court; and to otherwise provide for said Court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

S. 22. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, Page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241, et seq.), as heretofore amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

S. 23. To amend Act No. 929 of the Legislature of Alabama of 1951 approved September 12, 1951, Acts of Alabama 1951, Page 1579, et seq., as heretofore amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays: —0

The Bill:

S. 24. To amend Act No. 556, of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, Page 1376 et seq. was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

AMENDMENT TO SECTION 4 OF SENATE BILL NO. 24

Amend Section 4 of Senate Bill No. 24 as follows:

1. Insert between the words "Section 16 (entitled Loans to Employee Members)" and the words "Section 19 (entitled Liabilities of Employee Members to Fund)" where the same appear together in said Section 4 the following: "Section 17 (Severance Nominee)".

2. Insert in the third from the last sentence of Section 4 immediately after the words, "Retirement and Relief System" where such words appear together in said sentence and immediately prior to the words, "shall, anything contained in said Act" where such words appear together in said sentence the following: "subject to return."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs..	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Dumas			—24

Nays:

—0

And said Bill, S. B. 24, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Dumas			—24

Nays:

—0

The Bill:

S. 25. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Metcalf	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 26. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Metcalf	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 27. To apply in and only in each City in this State having a population of 300,000 or more, according to the last or any subsequent decennial Federal census; to provide for the creation of the office of City Magistrate and the appointment of City Magistrates: To define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Dumas			

—24

Nays:

—0

The Bill:

S. 28. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 29. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq. until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Metcalf	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 30. To provide for and fix the sum of Three Hundred Dollars per month as an allowance for expenses for the Mayor or other Chief Executive Officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census for which he shall not be required to file an accounting. was taken up.

Mr. Dumas offered the following substitute for the Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

TO PROVIDE FOR AND FIX THE SUM OF THREE HUNDRED DOLLARS PER MONTH AS AN ALLOWANCE FOR EXPENSES FOR THE MAYOR OR OTHER CHIEF EXECUTIVE OFFICER OF ANY CITY HAVING A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS, FOR WHICH HE SHALL NOT BE REQUIRED TO FILE AN ACCOUNTING; AND TO PROVIDE THAT SUCH MAYOR OR CHIEF EXECUTIVE OFFICER SHALL ATTEND AS THE OFFICIAL REPRESENTATIVE OF THE CITY SUCH MEETINGS AND CONFERENCES IN SAID CITY TO WHICH HE IS INVITED AND WHICH WILL IN THE OPINION OF SUCH MAYOR OR CHIEF EXECUTIVE OFFICER RESULT IN THE ADVERTISEMENT OF SUCH CITY OR ANY FUNCTION OR UNDERTAKING OF SUCH CITY.

Be It Enacted by the Legislature of Alabama:

Section 1. The mayor or other chief executive officer of any city having a population of three hundred thousand or more inhabitants according to the last or any subsequent federal census shall be paid by such city, in addition to the compensation provided by law for such office, the additional sum of Three Hundred Dollars per month, payable in advance on the first day of each month as an allowance for expenses incident to the office of mayor, for which he shall not be required to file an accounting.

Section 2. The mayor or other chief executive officer of any such city shall attend as the official representative of the city such meetings and conferences in said city to which he is invited and which will in the opinion of such mayor or chief executive officer result in the advertisement of such city or any function or undertaking of such city. Such mayor or chief executive officer shall be the sole judge of the conferences or meetings he should attend.

Section 3. The provisions of this act shall not be construed so as to prevent any such mayor or other chief executive officer from being reimbursed for actual expenses incurred by him on or in connection with a trip on city business beyond the corporate limits of such city.

Section 4. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Dumas			

—24

Nays:

—0

And said Bill, S. B. 30, as amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts	
Adams	Gilchrist	Mathews	Robison (Montgomery)	
Allen	Givhan	McCain	Robison (Pickens)	
Bentley	Hammond	McDow	Shelton	
Brannan	Hawkins	Metcalf	Smith	
Carter	Hornsby	Montgomery	Taylor	
Dumas				—24

Nays: —0

The Bill:

S. 31. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds	
Adams	Hammond	McCain	Shelton	
Brannan	Hawkins	McDow	Smith	
Carter	Hornsby	Metcalf	Taylor	
Clark	Horton	Montgomery	Tyson	
Cooper	James	Oden	Wilson	
Dumas				—24

Nays: —0

The Bill:

S. 32. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds	
Adams	Gilchrist	Mathews	Roberts	
Allen	Givhan	McCain	Robison (Montgomery)	
Bentley	Horton	Metcalf	Taylor	
Cooper	James	Montgomery	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays: —0

The Bill:

S. 33. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Wilson
Dumas			

—24

Nays:

—0

The Bill:

S. 34. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

was taken up.

Mr. Dumas offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 34

A BILL
TO BE ENTITLED
AN ACT

TO PROVIDE FOR THE COMPENSATION TO BE PAID THE DEPUTY CIRCUIT SOLICITOR WHO IS ELECTED BY THE PEOPLE, AND THE ASSISTANT DEPUTY CIRCUIT SOLICITOR, IN COUNTIES HAVING A POPULATION OF SIX HUNDRED THOUSAND OR MORE, ACCORDING TO THE LAST OR ANY SUCCEEDING DECENNIAL FEDERAL CENSUS AND TO PROVIDE FOR THE PAYMENT OF THE SAME AND TO PROVIDE THE DATE WHEN SAID ACT SHALL GO INTO EFFECT.

Be It Enacted by the Legislature of Alabama:

Section 1. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, there shall be paid to the Deputy Circuit Solicitor, who is elected by the people, of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy Circuit Solicitor, the same will make the total annual salary of each such Deputy Circuit Solicitor Fourteen Thousand Six Hundred (\$14,600.00) dollars. The increase

in salary provided in this Section 1 shall become effective on the first Monday after the second Tuesday of January, 1967, this being the beginning of the next term of said Deputy Circuit Solicitor.

Section 2. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Assistant Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Assistant Deputy Circuit Solicitor the same will make the total annual salary of each such Assistant Deputy Circuit Solicitor Eleven Thousand Four Hundred and no/100 (\$11,400.00) dollars.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)	
Brannan	Hawkins	McDow	Shelton	
Carter	Hornsby	Metcalf	Smith	
Clark	Horton	Montgomery	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Reynolds	Wilson	
Eddins				—24

Nays: —0

And said Bill, S. B. 34, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)	
Brannan	Hawkins	McDow	Shelton	
Carter	Hornsby	Metcalf	Smith	
Clark	Horton	Montgomery	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Reynolds	Wilson	
Eddins				—24

Nays: —0

The Bill:

S. 35. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve

in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

was taken up.

Mr. Dumas offered the following substitute for the Bill, to-wit:

Substitute for S. B. 35

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Be It Enacted by the Legislature of Alabama:

Section 1. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, there shall be paid to the Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Circuit Solicitor, the same will make the total annual salary of each such Circuit Solicitor Seventeen Thousand Seven Hundred Fifty-Six Dollars (\$17,756.00). The increase in salary provided in this Section 1 shall become effective on the first Monday after the second Tuesday of January, 1967, this being the beginning of the next term of said Circuit Solicitor.

Section 2. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the First Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such First Deputy Circuit Solicitor the same will make the total annual salary of each such First Deputy Circuit Solicitor Thirteen Thousand Eight Hundred (\$13,800.00) Dollars.

Section 3. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Second Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Second Deputy Circuit Solicitor the same will make the

total annual salary of each such Second Deputy Circuit Solicitor Twelve Thousand Six Hundred (\$12,600.00) Dollars.

Section 4. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Third Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the STATE of Alabama to each such Third Deputy Circuit Solicitor the same will make the total annual salary of each such Third Deputy Circuit Solicitor Eleven Thousand Four Hundred (\$11,400.00) Dollars.

Section 5. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Fourth Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Fourth Deputy Circuit Solicitor the same will make the total annual salary of each such Fourth Deputy Circuit Solicitor Ten Thousand Eight Hundred (\$10,800.00) Dollars.

Section 6. In each county of the STATE of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Fifth Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Fifth Deputy Circuit Solicitor the same will make the total annual salary of each such Fifth Deputy Circuit Solicitor Ten Thousand Eight Hundred (\$10,800.00) Dollars.

Section 7. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Sixth Deputy Circuit Solicitor of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Sixth Deputy Circuit Solicitor the same will make the total annual salary of each such Sixth Deputy Circuit Solicitor Nine Thousand Six Hundred (\$9,600.00) Dollars.

Section 8. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Deputy Circuit Solicitor appointed by the Solicitor to serve in any inferior criminal court, county criminal court, or county misdemeanor court of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy Circuit Solicitor the same will make the total annual salary of each such Deputy Circuit Solicitor Nine Thousand (\$9,000.00) Dollars.

Section 9. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court of said county or court created in lieu thereof of each said county from the general treasury of the county in equal semi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy Circuit Solicitor the same will make the total annual salary of each such Deputy Circuit Solicitor Ten Thousand Two Hundred (\$10,200.00) Dollars.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

And said Bill, S. B. 35, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

S. 36. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Wilson
Dumas			—24

Nays:

—0

The Bill:

S. 37. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds	
Brannan	Hawkins	McCain	Roberts	
Carter	Hornsby	McDow	Smith	
Clark	Horton	Metcalf	Taylor	
Cooper	James	Montgomery	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays:

—0

The Bill:

S. 38. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regular the payment of the salaries of said judge:

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds	
Adams	Gilchrist	Mathews	Roberts	
Allen	Givhan	McCain	Shelton	
Bentley	Horton	Metcalf	Smith	
Cooper	James	Montgomery	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays:

—0

The Bill:

S. 39. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts	
Adams	Gilchrist	Mathews	Robison (Montgomery)	
Allen	Givhan	McCain	Robison (Pickens)	
Bentley	Hammond	McDow	Shelton	
Brannan	Hawkins	Metcalf	Smith	
Carter	Hornsby	Montgomery	Wilson	
Dumas				—24

Nays:

—0

The Bill:

S. 40. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 42. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Metcalf	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 41. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Dumas			

—24

Nays:

—0

The Bill:

S. 43. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Reynolds	
Brannan	Hawkins	Mathews	Roberts	
Carter	Hornsby	McDow	Smith	
Clark	Horton	Metcalf	Taylor	
Cooper	James	Montgomery	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays:

—0

The Bill:

S. 44. To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts	
Adams	Gilchrist	Mathews	Robison (Montgomery)	
Allen	Givhan	McCain	Robison (Pickens)	
Bentley	Horton	Montgomery	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Reynolds	Wilson	
Eddins				—24

Nays:

—0

The Bill:

S. 45. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Lolley
Brannan	Dumas	Hornsby	Lowe
Carter	Eddins	Horton	McDow
Clark	Evans	James	Metcalf

Montgomery	Roberts	Smith	Tyson	
Oden	Shelton	Taylor	Wilson	
Reynolds				—24

Nays: —0

The Bill:

S. 46. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Metcalf	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays: —0

The Bill:

S. 47. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Dumas			

—24

Nays: —0

The Bill:

S. 48. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Brannan	Hawkins	Mathews	Roberts
Carter	Hornsby	McCain	Smith
Clark	Horton	Metcalf	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 49. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Smith
Bentley	Horton	McDow	Taylor
Cooper	James	Metcalf	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 50. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Metcalf	Shelton
Carter	Hornsby	Oden	Tyson
Dumas			

—24

Nays:

—0

The Bill:

S. 51. To provide that the governing body of any city in the state having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Metcalf	Taylor
Cooper	James	Montgomery	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 52. To amend Section 3 of Act No. 695 of the 1951 Legislature.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	McDow	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 56. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Dumas			—24

Nays: —0

ADJOURNMENT

At 3:51 P.M., on motion of Mr. Carter, pending further consideration of S. B. 67, the Senate adjourned until Thursday, August 13, 1964, at 10 o'clock A.M.

SIXTH LEGISLATIVE DAY

THURSDAY, AUGUST 13, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson

—35

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. McCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Allen:

S. 140. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Committee on Local Legislation.

By Mr. Tyson:

S. 141. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

Committee on Counties and County Boundaries.

By Mr. Bentley:

S. 142. Relating to the Thirtieth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rast et al:

H. 48. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

By Mr. Branyon:

H. 32. Regulating the compensation of election officers in counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census.

By Mr. Vacca et al (with notice and proof):

H. 46. To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

By Mr. Rast et al:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property annexed to municipalities in such counties, and in newly incorporated areas.

By Mr. Branyon:

H. 34. Relating to counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

By Mr. Branyon:

H. 33. To apply only in counties having populations of not less than 15,500 nor more than 16,300, relative to closing the office of officials in the courthouse.

By Mr. Rast et al (with notice and proof):

H. 38. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

By Mr. Rast et al:

H. 40. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality

within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

By Mr. Vacca et al:

H. 42. To authorize the governing body of any county having a population of 500,000 or more according to the last or any subsequent federal census to compensate any person for any injury to him or damage to his property by a motor vehicle operated by an employee of the county in the course of his employment where the governing body finds that the negligence of said employee was the proximate cause of such injury or damage, that the person who was injured or whose property was damaged was not guilty of any negligence proximately causing said injury or damage and that the circumstances of the injury or damage were such as to make compensation just and proper; and authorizing the county governing body to provide liability insurance for such purpose.

By Mr. Rast et al:

H. 41. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

By Mr. Perry et al:

H. 49. To provide for and fix the sum of three hundred dollars per month as an allowance for expenses for the Mayor or other Chief Executive Officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent Federal census for which he shall not be required to file an accounting.

By Mr. Perry et al:

H. 50. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

By Mr. Brown (Jefferson) et al (with notice and proof):

H. 51. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

By Mr. Brown (Jefferson) et al:

H. 53. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial Federal Census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

By Mr. Rast et al (with notice and proof):

H. 57. To fix the compensation or salary of the judge of the Jef-

ferson County Criminal Court and to regulate the payment of the salaries of said judge:

By Mr. Gilmore et al (with notice and proof):

H. 58. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

By Mr. Perry et al:

H. 59. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Rast et al:

H. 60. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Hankins (with notice and proof):

H. 94. Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

By Mr. Hankins:

H. 98. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

By Messrs. Hannah and Boston (with notice and proof):

H. 99. To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

By Messrs. Hannah and Boston:

H. 101. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

By Messrs. Hannah and Boston (with notice and proof):

H. 102. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

By Messrs. Brewer and Slate:

H. 146. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000.

By Messrs. Brewer and Slate (with notice and proof):

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

By Messrs. Brewer and Slate (with notice and proof):

H. 149. To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Mr. Bassett (with notice and proof):

H. 150. To amend Section 2, of Act No. 259, H. 507, Regular Session 1951, an Act providing a deputy for the Tax Assessor of Pike County.

By Mr. Bassett (with notice and proof):

H. 151. To amend Section 2, of Act No. 258, H. 506, Regular Session 1951, an Act providing a deputy for the Tax Collector of Pike County.

By Mr. Bassett (with notice and proof):

H. 152. To amend Section 1 of Act No. 332, H. 602, Regular Session 1961, an Act providing for a Clerk of the Juvenile Court of Pike County (Acts 1961, v. 1, P. 358).

By Mr. Bassett (with notice and proof):

H. 153. To amend Section 2 of Act No. 148, S. 185, Regular Session 1955, an Act providing for a Deputy Circuit Clerk for Pike County.

By Messrs. Camp and Bolton:

H. 157. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

By Messrs. Camp and Bolton:

H. 158. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one county which has a population of not less than sixty-five thousand (65,000) nor more than ninety-five thousand (95,000), according to the most recent Federal Decennial Census.

By Mr. Steagall (with notice and proof):

H. 22. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697) entitled 'An Act relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

By Mr. Holladay (with notice and proof):

H. 154. To amend Act No. 218, S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

By Mr. Steagall (with notice and proof):

H. 20. Relating to the Sheriff of Dale County, providing an allowance for empaneling Grand Juries.

By Mr. Turnham:

H. 105. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 49,500 nor more than 50,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Holladay:

H. 155. Relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places.

By Mr. Turnham (with notice and proof):

H. 104. Relating to Lee County; fixing the pay of jurors, grand and petit.

By Mr. Turnham (with notice and proof):

H. 103. Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

By Mr. Rast et al:

H. 43. To amend Section 3 of Act No. 695 of the 1951 Legislature.

By Mr. Rast et al:

H. 44. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

By Mr. Engel et al (with notice and proof):

H. 119. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

By Mr. Engel et al:

H. 120. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

By Mr. Engel et al:

H. 122. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

By Messrs. Engel and Hogan:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

By Mr. Engel et al:

H. 125. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of members of the courts of county commissioners, county commissions, or like county governing bodies of such counties.

By Mr. Engel et al:

H. 126. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent Federal census.

By Mr. Engel et al:

H. 127. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act #315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

By Messrs. Hogan and Engel:

H. 128. To amend Section 2, Act No. 218, H. B. 404, Regular Session 1963, an act relating to counties having populations of not less than 300,000 nor more than 500,000.

By Mr. Rogers et al:

H. 129. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act N. 345, S. 291, 1955 Acts Vol. II, p. 783).

By Mr. McDermott et al:

H. 130. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama, 1955, (Vol. I, p. 515), approved August 3, 1955, entitled "An Act to provide further for the compensation of the Circuit Solicitor in circuits composed of one County and having not less than four nor more than nine Circuit Judges," as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. I, p. 456), approved August 20, 1957 and codified as Section 227(1), Title 13, Code of Alabama of 1940.

By Mr. Rogers et al:

H. 131. To amend Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an Act relating to the office of License Commissioner in counties having populations of not less than 300,000 or more than 500,000.

By Mr. Tyson:

S. 139. To amend Section 10 of Act #934 of the Regular Session of 1961 of the Legislature of Alabama, approved September 9, 1961, which said Act #934 relates to the provision for a program of tax equalization of real property in any county of the state having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, by providing that the Tax

Assessor in any such county shall not be entitled to a 25c notice fee as provided for in Section 55 of Title 51 of the 1940 Code of Alabama as amended.

By Mr. Perry et al (with notice and proof):

H. 47. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

By Mr. Perry et al:

H. 52. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Rast et al:

H. 54. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

By Mr. Rast et al:

H. 55. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

By Mr. Rast et al (with notice and proof):

H. 56. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

By Mr. Vacca et al:

H. 61. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

By Mr. Rast et al:

H. 62. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

By Mr. Brown (Jefferson) et al (with notice and proof):

H. 63. To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

By Mr. Perry et al:

H. 64. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

By Mr. Brown (Jefferson) et al (with notice and proof):

H. 65. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

By Mr. Rast et al:

H. 66. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

By Mr. Perry et al:

H. 67. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

By Mr. Perry et al:

H. 68. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

By Mr. Perry et al:

H. 69. To amend Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, Acts of Alabama 1951, page 1579, et seq., as heretofore amended.

By Mr. Perry et al:

H. 70. To amend Act No. 556, of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, page 1376 et seq.

By Mr. Etheredge et al:

H. 71. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

By Mr. Rast et al:

H. 73. To apply in and only in each City in this State having a population of 300,000 or more, according to the last or any subsequent decennial Federal Census; to provide for the creation of the Office of City Magistrate and the appointment of City Magistrates: to define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest.

By Mr. Etheredge et al:

H. 74. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

By Mr. Rast et al (with notice and proof):

H. 75. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

By Mr. Rast et al:

H. 76. To provide that the governing body of any city in the state having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

By Mr. Gilmore et al:

H. 77. To authorize the County Board of Education of any county having a population of 500,000 or more according to the last or any succeeding federal decennial census to name school buildings in honor of living persons.

By Messrs. Brewer and Slate:

H. 147. To provide for the payment of an expense allowance for certain members of the board of revenue and control, court of county

commissioners, or like governing body in every county having a population of not less than 57,000 nor more than 61,500 for expenses incurred in the performance of their duties.

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 160. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 109. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the payment of the compensation of members and chairman of the county governing body.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 108. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

By Mr. Paulk:

H. 5. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Metcalf:

S. 133. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in

said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

By Mr. Dumas:

S. 53. To provide that any city or town in the state having a commission form of government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for Commissioners positions; to provide for the distribution of the powers of the municipality among the Commissioners; to provide for meetings of the Board of Commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by Commissioners; to prohibit Commissioners from holding other public offices; to prohibit any Commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any Commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the Board; to provide for the salaries of Commissioners and other disbursements of the municipality; to provide that meetings of the Board of Commissioners shall be open to the public; to provide a manner for changing the form of government of the municipality; to provide for the presentation of a petition calling for the resignation of a Commissioner, and to establish requirements for the signing thereof; to provide a fee for the Judge of Probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a Commissioner and for the election of his successor; and to state the method for ascertaining qualified voters in municipalities situated in more than one county.

Mr. Evans, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Reynolds:

S. 134. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed

Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 20. To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

W. RAY LOLLEY,
Chairman.

BILL REPORTED AND RE-REFERRED

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following Bill, and ordered same returned to the Senate with the recommendation that said Bill be re-referred to the Standing Committee on Finance and Taxation, to-wit:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

And said Bill was re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING

The Bill:

H. 111. To make an additional appropriation for payment of expenses of the Legislature.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Roberts
Adams	Gilchrist	Lowe	Robison (Montgomery)
Allen	Givhan	Mathews	Robison (Pickens)
Carter	Hammond	Metcalf	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Hornsby	Nichols	Tyson
Dumas	Horton	Oden	Wilson
Eddins	James	Reynolds	—30
Nays:			—0

RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 9. The following bills in the order named shall be special, paramount and continuing order of business taking precedence from day to day over the regular order of business prescribed by the rules:

1—Unfinished business

2—H. B. #114

And on motion of Mr. Adams, said Resolution was then adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to further consideration of the unfinished business for today which was the Bill:

S. 67. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

as amended by the substitute.

On motion of Mr. Eddins, further consideration of the Bill, S. B. 67, as amended, was postponed until the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 18. Relative to congratulating Representative Quinton R. Bowers upon his selection for National honors by the Veterans of Foreign Wars.

Also:

H. J. R. 19. Relative to expressing regret upon the death of Robert Horton Rutland.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

was taken up.

Messrs. Lolley and Carter offered the following substitute for the Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for congressional districts and for the election of congressmen by districts, amending Code 1940, Title 17, Sections 425 and 426.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 425 is amended to read as follows:

"Section 425. The State is hereby divided into eight congressional districts as follows: The first district shall be composed of the counties of Mobile, Washington, Choctaw, Clarke, Monroe and Wilcox. The second district shall be composed of the counties of Baldwin, Butler, Conecuh, Covington, Crenshaw, Escambia, Lowndes, Montgomery and Pike. The third district shall be composed of the counties of Barbour, Bullock, Chambers, Coffee, Dale, Geneva, Henry, Houston, Lee, Macon, Russell and Tallapoosa. The fourth district shall be composed of the counties of Autauga, Dallas, Chilton, Elmore, Coosa, Clay, Randolph, Cleburne, Calhoun, Talladega and St. Clair. The fifth district shall be composed of the counties of Shelby, Bibb, Perry, Marengo, Sumter, Greene, Hale, Pickens and Tuscaloosa; also, all that territory in Jefferson County in Precincts 33 and 53, as such precincts were constituted on August 1, 1961. The sixth district shall be composed of all that part of Jefferson County not included in the fifth district as aforesaid. The seventh district shall be composed of the counties of Lamar, Fayette, Walker, Winston, Cullman, Blount, Marshall, Etowah, DeKalb and Cherokee. The eighth district shall be composed of the counties of Marion, Franklin, Colbert, Lauderdale, Lawrence, Limestone, Morgan, Madison and Jackson."

Section 2. Code 1940, Title 17, Section 426 is amended to read as follows:

"Section 426. Each congressional district described in the preceding section is entitled to elect one representative in the Congress of the United States, who shall be chosen by the qualified electors of the district at the general election in 1964, and every two years thereafter."

Mr. Eddins moved that the substitute for the Bill, H. B. 114, be laid on the table, which motion was lost.

Yeas 13; Nays 18.

Yeas:

Messrs.:	Hornsby	Montgomery	Roberts
Bentley	Horton	Nichols	Robison (Montgomery)
Eddins	James	Reynolds	Robison (Pickens)
Givhan	McDow		

—13

Nays:

Messrs.:	Cooper	Lolley	Smith
Adams	Dumas	Lowe	Taylor
Allen	Evans	Metcalf	Tyson
Carter	Hammond	Oden	Wilson
Clark	Hawkins	Shelton	

—18

RECESS

At 11:58 A.M., on motion of Mr. Carter, pending further consideration of the bill, H. B. 114, the Senate took a recess until 2 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Allen.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson

—35

FURTHER CONSIDERATION OF H. B. 114

The Senate proceeded to further consideration of the Bill, H. B. 114. The question was on the substitute offered by Messrs. Lolley and Carter.

MOTION TO ADJOURN

At 3:43 P.M., Mr. Eddins moved that the Senate adjourn until Friday, August 14, 1964, at 10 o'clock A.M., which resulted in a tie vote.

Yeas 15; Nays 15.

Yeas:

Messrs.:	Evans	James	Montgomery
Adams	Gilchrist	Lowe	Reynolds
Dumas	Givhan	McCain	Robison (Pickens)
Eddins	Hornsby	McDow	Smith

—15

Nays:

Messrs.:	Cooper	Mathews	Shelton
Allen	Hammond	Metcalf	Taylor
Carter	Hawkins	Nichols	Tyson
Clark	Lolley	Robison (Montgomery)	Wilson

—15

TIE VOTE

The President and Presiding Officer voted "Nay"; therefore, the motion to adjourn was lost.

FURTHER CONSIDERATION OF H. B. 114

The Senate proceeded to further consideration of the Bill, H. B. 114. The question was on the substitute offered by Messrs. Lolley and Carter.

ADJOURNMENT

At 4:25 P.M., on motion of Mr. Robison (Montgomery), pending further consideration of H. B. 114, the Senate adjourned until Friday, August 14, 1964, at 10 o'clock A.M.

Yeas 16; Nays 13.

Yeas:

Messrs.:	Gilchrist	McCain	Roberts
Adams	Givhan	McDow	Robison (Montgomery)
Bentley	Horton	Montgomery	Robison (Pickens)
Eddins	James	Reynolds	Smith
Evans			—16

Nays:

Messrs.:	Clark	Lowe	Shelton
Allen	Cooper	Mathews	Taylor
Brannan	Hammond	Metcalf	Wilson
Carter	Lolley		—13

SEVENTH LEGISLATIVE DAY

FRIDAY, AUGUST 14, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James	Reynolds	—34

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Jour-

nal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Metcalf for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 111. To make an additional appropriation for payment of expenses of the Legislature.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 23. Relative to appointing a Legislative Committee to obtain a designated area for parking for members of the House and Senate.

Also:

H. J. R. 24. Relative to commending the Bay Minette Key Club.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Roberts, further consideration of the Bills, S. B.'s 103, 105 and 116 was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 111. To allow the Board of Revenue of Jackson County to authorize the Sheriff of Jackson County to employ an additional deputy to be known as a County Criminal Investigator; defining his powers and duties, and fixing his compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 112. To provide for a supplemental salary to be paid by counties to the Register of a one-county Judicial Circuit, which County has a population under 500,000, and having two Courthouses where Circuit Court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	Nichols	Taylor
Carter	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 108. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Taylor
Clark			

—24

Nays:

—0

The Bill:

S. 104. For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Roberts
Brannan	Hawkins	Mathews	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 160. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 107. To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business

in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Hammond	McDow	Taylor
Brannan	Hawkins	Montgomery	Tyson
Carter	Hornsby	Nichols	Wilson
Clark			—24

Nays: —0

The Bill:

H. 109. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the payment of the compensation of members and chairman of the county governing body.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Reynolds
Brannan	Hawkins	McCain	Roberts
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays: —0

The Bill:

S. 120. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Robison (Pickens)
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays: —0

The Bill:

S. 121. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Hammond	McDow	Taylor
Brannan	Hawkins	Oden	Tyson
Carter	Hornsby	Reynolds	Wilson
Clark			

—24

Nays:

—0

The Bill:

S. 125. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 127. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Gilchrist	Lolley
Adams	Dumas	Givhan	Lowe
Allen	Eddins	Horton	Mathews
Bentley	Evans	James	Montgomery

Nichols	Roberts	Robison (Pickens)	Tyson	
Oden	Robison (Montgomery)	Shelton	Wilson	
Reynolds				—24
<i>Nays:</i>				—0

The Bill:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts	
Adams	Gilchrist	Mathews	Robison (Montgomery)	
Allen	Givhan	McCain	Robison (Pickens)	
Bentley	Hammond	McDow	Shelton	
Brannan	Hawkins	Nichols	Smith	
Carter	Hornsby	Oden	Taylor	
Clark				—24
<i>Nays:</i>				—0

The Bill:

S. 129. To apply in all counties having populations of not less than 51,000 nor more than 56,000, regulating the compensation of election officers.

was taken up.

Mr. Wilson offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 129

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds	
Brannan	Hawkins	McCain	Shelton	
Carter	Hornsby	McDow	Smith	
Clark	Horton	Montgomery	Taylor	
Cooper	James	Nichols	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24
<i>Nays:</i>				—0

And said Bill, S. B. 129, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 128. To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	McDow	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 122. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Montgomery	Shelton
Carter	Hornsby	Nichols	Smith
Clark			

—24

Nays:

—0

The Bill:

S. 123. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Smith
Bentley	Horton	McDow	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 48. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Nichols	Shelton
Carter	Hornsby	Oden	Smith
Dumas			

—24

Nays:

—0

The Bill:

H. 32. Regulating the compensation of election officers in counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 46. To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City

of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Hornsby	McCain	Robison (Montgomery)
Bentley	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 34. Relating to counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

was taken up.

Mr. Wilson offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 34

Amend House Bill 34 by striking therefrom in the title, the following words and figures:

"15,417 nor more than 16,303,"

and inserting in lieu thereof:

"15,500 nor more than 16,300,"

Further amend to strike out the words and figures \$35.00 dollars and insert in lieu thereof the words and figures Fifty dollars (\$50.00)

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Bentley	Eddins	Givhan
Adams	Cooper	Evans	Horton
Allen	Dumas	Gilchrist	James

Lolley	McDow	Reynolds	Taylor	
Lowe	Nichols	Roberts	Tyson	
Mathews	Oden	Robison (Montgomery)	Wilson	
McCain				—24

Nays: —0

And said Bill, H. B. 34, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds	
Adams	Gilchrist	Mathews	Roberts	
Allen	Givhan	McCain	Robison (Montgomery)	
Bentley	Horton	McDow	Taylor	
Cooper	James	Nichols	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays: —0

The Bill:

H. 33. To apply only in counties having populations of not less than 15,500 nor more than 16,300, relative to closing the office of officials in the courthouse.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds	
Brannan	Hawkins	McCain	Shelton	
Carter	Hornsby	McDow	Smith	
Clark	Horton	Montgomery	Taylor	
Cooper	James	Nichols	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays: —0

The Bill:

H. 38. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds	
Adams	Gilchrist	Mathews	Roberts	
Allen	Givhan	McCain	Robison (Montgomery)	
Bentley	Horton	McDow	Taylor	
Cooper	James	Nichols	Tyson	
Dumas	Lolley	Oden	Wilson	
Eddins				—24

Nays: —0

The Bill:

H. 40. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Montgomery	Shelton
Carter	Hornsby	Nichols	Smith
Dumas			—24

Nays: —0

The Bill:

H. 42. To authorize the governing body of any county having a population of 500,000 or more according to the last or any subsequent federal census to compensate any person for any injury to him or damage to his property by a motor vehicle operated by an employee of the county in the course of his employment where the governing body finds that the negligence of said employee was the proximate cause of such injury or damage, that the person who was injured or whose property was damaged was not guilty of any negligence proximately causing said injury or damage and that the circumstances of the injury or damage were such as to make compensation just and proper; and authorizing the county governing body to provide liability insurance for such purpose.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 41. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Brannan	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Robison (Montgomery)
Clark	Horton	McDow	Robison (Pickens)
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 49. To provide for and fix the sum of three hundred dollars per month as an allowance for expenses for the Mayor or other Chief Executive Officer of any city having a population of three hundred thousand and inhabitants or more according to the last or any subsequent Federal census for which he shall not be required to file an accounting.

was taken up.

Mr. Dumas offered the following substitute for the Bill, to-wit:

Substitute for H. B. No. 49

A BILL
TO BE ENTITLED
AN ACT

TO PROVIDE FOR AND FIX THE SUM OF THREE HUNDRED DOLLARS PER MONTH AS AN ALLOWANCE FOR EXPENSES FOR THE MAYOR OR OTHER CHIEF EXECUTIVE OFFICER OF ANY CITY HAVING A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS, FOR WHICH HE SHALL NOT BE REQUIRED TO FILE AN ACCOUNTING; AND TO PROVIDE THAT SUCH MAYOR OR CHIEF EXECUTIVE OFFICER SHALL ATTEND AS THE OFFICIAL REPRESENTATIVE OF THE CITY SUCH MEETINGS AND CONFERENCES IN SAID CITY TO WHICH HE IS INVITED AND WHICH WILL IN THE OPINION OF SUCH MAYOR OR CHIEF EXECUTIVE OFFICER RESULT IN THE ADVERTISEMENT OF SUCH CITY OR ANY FUNCTION OR UNDERTAKING OF SUCH CITY.

Be It Enacted by the Legislature of Alabama:

Section 1. The mayor or other chief executive officer of any city having a population of three hundred thousand or more inhabitants according to the last or any subsequent federal census shall be paid by

such city, in addition to the compensation provided by law for such office, the additional sum of Three Hundred Dollars per month, payable in advance on the first day of each month as an allowance for expenses incident to the office of mayor, for which he shall not be required to file an accounting.

Section 2. The mayor or other chief executive officer of any such city shall attend as the official representative of the city such meetings and conferences in said city to which he is invited and which will in the opinion of such mayor or chief executive officer result in the advertisement of such city or any function or undertaking of such city. Such mayor or chief executive officer shall be the sole judge of the conferences or meetings he should attend.

Section 3. The provisions of this act shall not be construed so as to prevent any such mayor or other chief executive officer from being reimbursed for actual expenses incurred by him on or in connection with a trip on city business beyond the corporate limits of such city.

Section 4. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Nichols	Smith
Carter	Hornsby	Oden	Taylor
Dumas			

—24

Nays:

—0

And said Bill, H. B. 49, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Nichols	Smith
Carter	Hornsby	Oden	Taylor
Dumas			

—24

Nays:

—0

The Bill:

H. 76. To provide that the governing body of any city in the state having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

AMENDMENT OF SECTION 1 OF
H. B. 76

Amend Section 1 of House Bill No. 76 as follows: Delete the last sentence of said Section 1 and substitute in lieu thereof the following: "The total amount of all such money granted by any such governing body shall not, during any one fiscal year of such city, exceed the sum of \$11,000."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Roberts	
Brannan	Hawkins	McDow	Shelton	
Carter	Hornsby	Montgomery	Smith	
Clark	Horton	Nichols	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Reynolds	Wilson	
Eddins				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Roberts	
Brannan	Hawkins	McDow	Shelton	
Carter	Hornsby	Montgomery	Smith	
Clark	Horton	Nichols	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Reynolds	Wilson	
Eddins				—24

Nays: —0

The Bill:

H. 50. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)	
Brannan	Hawkins	McDow	Shelton	
Carter	Hornsby	Montgomery	Smith	
Clark	Horton	Nichols	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Reynolds	Wilson	
Eddins				—24

Nays: —0

The Bill:

H. 51. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the mem-

bers of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	James	Nichols	Shelton
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 53. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial Federal Census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Roberts
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 57. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regulate the payment of the salaries of said judge:

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 58. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	McDow	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 59. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Nichols	Smith
Carter	Hornsby	Oden	Taylor
Dumas			—24

Nays:

—0

The Bill:

H. 60. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 94. Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Pickens)
Allen	Givhan	McCain	Smith
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 98. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Robison (Pickens)
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 146. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Robison (Pickens)
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Oden	Taylor
Clark			

—24

Nays:

—0

The Bill:

H. 149. To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 151. To amend Section 2, of Act No. 258, H. 506, Regular Session 1951, an Act providing a deputy for the Tax Collector of Pike County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas			

—24

Nays:

—0

The Bill:

H. 150. To amend Section 2, of Act No. 259, H. 507, Regular Session 1951, an Act providing a deputy for the Tax Assessor of Pike County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 152. To amend Section 1 of Act No. 332, H. 602, Regular Session 1961, an Act providing for a Clerk of the Juvenile Court of Pike County (Acts 1961, v. 1, P. 358).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Montgomery	Shelton
Carter	Hornsby	Nichols	Smith
Clark			—24

Nays: —0

The Bill:

H. 153. To amend Section 2 of Act No. 148, S. 185, Regular Session 1955, an Act providing for a Deputy Circuit Clerk for Pike County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 157. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 158. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one county which has a population of not less than sixty-five thousand (65,000) nor more than ninety-five thousand (95,000), according to the most recent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Nichols
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Metcalf	Shelton
Carter	Hornsby	Montgomery	Smith
Clark			—24

Nays:

—0

The Bill:

H. 154. To amend Act No. 218, S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Bentley	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 105. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 49,500 nor more than 50,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees

for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 155. Relating to counties having populations of not less than 24,-800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Wilson
Clark			—24

Nays:

—0

The Bill:

H. 104. Relating to Lee County; fixing the pay of jurors, grand and petit.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Reynolds
Brannan	Hawkins	Mathews	Shelton
Carter	Hornsby	McCain	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 103. Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Robison (Pickens)
Cooper	James	Nichols	Shelton
Dumas	Lolley	Oden	Smith
Eddins			—24

Nays:

—0

The Bill:

H. 43. To amend Section 3 of Act No. 695 of the 1951 Legislature.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Taylor
Brannan	Hawkins	Montgomery	Tyson
Carter	Hornsby	Nichols	Wilson
Dumas			—24

Nays:

—0

The Bill:

H. 44. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 119. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	McCain	Roberts
Allen	Givhan	McDow	Robison (Montgomery)
Bentley	Horton	Montgomery	Robison (Pickens)
Cooper	James	Nichols	Taylor
Dumas	Lolley	Oden	Tyson
Eddins			—24

Nays:

—0

The Bill:

H. 120. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Taylor
Brannan	Hawkins	Montgomery	Tyson
Carter	Hornsby	Nichols	Wilson
Clark			—24

Nays:

—0

The Bill:

H. 122. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Robison (Pickens)
Brannan	Hawkins	Mathews	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 125. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of members of the courts of county commissioners, county commissions, or like county governing bodies of such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Tyson
Clark			—24

Nays: —0

The Bill:

H. 126. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent Federal census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 127. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act #315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Horton	Nichols	Shelton
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 128. To amend Section 2, Act No. 218, H. B. 404, Regular Session 1963, an act relating to counties having populations of not less than 300,000 nor more than 500,000.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Nichols	Smith
Carter	Hornsby	Oden	Tyson
Clark			—24

Nays:

—0

The Bill:

H. 129. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act N. 345, S. 291, 1955 Acts Vol. II, p. 783).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 130. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama, 1955, (Vol. I, p. 515), approved August 3, 1955, entitled "An Act to provide further for the compensation of the Circuit Solicitor in circuits composed of one County and having not less than four nor more than nine Circuit Judges," as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. I, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 131. To amend Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an Act relating to the office of License Commissioner in counties having populations of not less than 300,000 or more than 500,000.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Oden	Tyson
Clark			

—24

Nays:

—0

The Bill:

S. 139. To amend Section 10 of Act #934 of the Regular Session of 1961 of the Legislature of Alabama, approved September 9, 1961, which said Act #934 relates to the provision for a program of tax equalization of real property in any county of the state having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, by providing that the Tax Assessor in any such county shall not be entitled to a 25¢ notice fee as provided for in Section 55 of Title 51 of the 1940 Code of Alabama as amended.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 47. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 52. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Bentley	Dumas	Givhan
Adams	Brannan	Evans	Hammond
Allen	Carter	Gilchrist	Hawkins

Hornsby	McDow	Oden	Robison (Pickens)
Lowe	Montgomery	Roberts	Shelton
Mathews	Nichols	Robison (Montgomery)	Smith
McCain			

—24

Nays:

—0

The Bill:

H. 54. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 55. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Horton	Nichols	Shelton
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 56. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Shelton
Bentley	Hammond	McDow	Smith
Brannan	Hawkins	Montgomery	Taylor
Carter	Hornsby	Nichols	Tyson
Dumas			

—24

Nays:

—0

The Bill:

H. 61. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 62. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Hornsby	Montgomery	Smith
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 63. To amend Act No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Taylor
Dumas			

—24

Nays:

—0

The Bill:

H. 64. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 65. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 66. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Dumas			

—24

Nays:

—0

The Bill:

H. 67. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 68. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

H. 69. To amend Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, Acts of Alabama 1951, page 1579, et seq., as heretofore amended.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Taylor
Dumas			

—24

Nays:

—0

The Bill:

H. 70. To amend Act No. 556, of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, page 1376 et seq. was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

AMENDMENT OF SECTION 4 OF H. B. 70

Amend Section 4 of House Bill No. 70 as follows:

1. Insert between the words "Section 16 (entitled Loans to Employee Members)" and the words "Section 19 (entitled Liabilities of Employee Members to Fund)" where the same appear together in said Section 4 of the following: "Section 17 (Severance Nominee)".

2. Insert in the third sentence from the last of Section 4 immediately after the words, "Retirement and Relief System" where such words appear together in said sentence and immediately prior to the words, "shall, anything contained in said Act" where such words appear together in said sentence the following: "subject to return."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 71. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givnan	McCain	Smith
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 73. To apply in and only in each City in this State having a population of 300,000 or more, according to the last or any subsequent decennial Federal Census; to provide for the creation of the Office of City Magistrate and the appointment of City Magistrates: to define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givnan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Taylor
Dumas			—24

Nays:

—0

The Bill:

H. 74. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 75. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee of one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

H. 77. To authorize the County Board of Education of any county having a population of 500,000 or more according to the last or any succeeding federal decennial census to name school buildings in honor of living persons.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 147. To provide for the payment of an expense allowance for certain members of the board of revenue and control, court of county commissioners, or like governing body in every county having a population of not less than 57,000 nor more than 61,500 for expenses incurred in the performance of their duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Taylor
Clark			—24

Nays:

—0

The Bill:

H. 5. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Roberts
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 99. To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Bentley	Eddins	Givhan
Adams	Cooper	Evans	Horton
Allen	Dumas	Gilchrist	James

Lolley	McDow	Roberts	Taylor	
Lowe	Oden	Robison (Montgomery)	Tyson	
Mathews	Reynolds	Robison (Pickens)	Wilson	
McCain				—24
Nays:				—0

The Bill:

H. 101. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Horton	Oden	
Adams	Gilchrist	Lowe	Roberts	
Allen	Givhan	Mathews	Robison (Montgomery)	
Bentley	Hammond	McCain	Robison (Pickens)	
Brannan	Hawkins	McDow	Shelton	
Carter	Hornsby	Nichols	Smith	
Clark				—24
Nays:				—0

The Bill:

H. 102. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court thereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Roberts	
Brannan	Hawkins	McDow	Shelton	
Carter	Hornsby	Montgomery	Smith	
Clark	Horton	Nichols	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Reynolds	Wilson	
Eddins				—24
Nays:				—0

The Bill:

H. 22. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697) entitled 'An Act relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	McDow	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

The Bill:

H. 20. Relating to the Sheriff of Dale County, providing an allowance for empaneling Grand Juries.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Montgomery	Shelton
Carter	Hornsby	Nichols	Smith
Clark			—24

Nays:

—0

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the unfinished business for today which was the Bill:

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

The question was on the substitute for the Bill offered by Messrs. Lolley and Carter, which said substitute is set out at length in the Journal of the Senate for the Sixth Legislative Day.

RECESS

At 11:20 A.M., on motion of Mr. Eddins, pending further consideration of H. B. 114, the Senate took a recess until 12:45 P.M.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Adams	Givhan	McCain	Robison (Montgomery)
Dumas	Hawkins	McDow	Robison (Pickens)
Eddins	Hornsby	Montgomery	Smith
Evans	Horton	Reynolds	—18

Nays:

Messrs.:	Cooper	Nichols	Taylor
Bentley	Lolley	Oden	Tyson
Carter	Lowe	Shelton	Wilson

—11

AFTERNOON SESSION
SEVENTH LEGISLATIVE DAY
FRIDAY, AUGUST 14, 1964

The Senate re-assembled at 12:45 P.M., Lieutenant Governor Allen presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James	Reynolds	

—34

BILLS ON THIRD READING

The Bill:

S. 85. To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			

—24

Nays:

—0

The Bill:

S. 100. Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

was taken up.

Mr. Hammond offered the following amendment to the Bill, to-wit:
Amendment to S. B. 100

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of

the amounts prescribed by general laws shall not in any case be reimbursable by the State.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Hammond	McDow	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Bentley	Hammond	McDow	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

S. 101. To provide for compensation of jurors in DeKalb County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Taylor
Clark			—24

Nays: —0

The Bill:

S. 137. Relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

The Bill:

S. 53. To provide that any city or town in the state having a commission form of government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for Commissioners positions; to provide for the distribution of the powers of the municipality among the Commissioners; to provide for meetings of the Board of Commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by Commissioners; to prohibit Commissioners from holding other public offices; to prohibit any Commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any Commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the Board; to provide for the salaries of Commissioners and other disbursements of the municipality; to provide that meetings of the Board of Commissioners shall be open to the public; to provide a manner for changing the form of government of the municipality; to provide for the presentation of a petition calling for the resignation of a Commissioner, and to establish requirements for the signing thereof; to provide a fee for the Judge of Probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a Commissioner and for the election of his successor; and to state the method of ascertaining qualified voters in municipalities situated in more than one county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays: —0

UNFINISHED BUSINESS
BILLS ON THIRD READING

The Senate proceeded to further consideration of the unfinished business of the morning session which was the Bill:

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

The question was on the substitute offered by Messrs. Lolley and Carter, which said substitute is set out at length in the Journal of the Senate for the Sixth Legislative Day.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Adams:

S. 143. Relating to counties having populations of not less than 50,000 nor more than 54,000; to provide for the payment of an expense allowance to the judge of probate of any such county.

Committee on Local Legislation.

By Mr. Hammond:

S. 144. To make an appropriation out of the general fund in the state treasury to Northeast Alabama Farmers Market for public instruction and equipping such market.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 145. To provide further for the certification and election of representatives in Congress by districts, repealing conflicting laws.

Committee on Privileges and Elections.

By Mr. Oden:

S. 146. To provide further for the election of members of the House of Representatives of the United States in 1964, repealing conflicting laws.

Committee on Privileges and Elections.

By Mr. Reynolds:

S. 147. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings in counties having not less than 26,000 nor more than 27,000 population, according to the last or any subsequent decennial census.

Committee on Local Legislation.

By Mr. Carter:

S. 148. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

Committee on Local Legislation.

By Mr. James:

S. 149. Relating to motor vehicles; prescribing the placement of license tags or plates on certain motor vehicles; further amending Code of Alabama 1940, Title 36, Section 75 and Title 51, Section 705 as amended by Act No. 143, 1961 Special Session (Acts 1961, p. 2085).

Committee on Public Roads and Highways.

REPORTS OF COMMITTEES

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Downing et al (with amendment):

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lowe, Metcalf, Brannan, Montgomery, McDow, Hawkins, Evans, Cooper, Lolley, Clark, Hammond, Carter, Bentley, James, Taylor, Reynolds, Allen, Robison (Pickens), McCain, Tyson, Givhan, Oden, Horton and Smith:

S. 113. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

By Mr. Dumas:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

By Mr. Givhan:

S. 119. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

By Messrs. Smith, Metcalf, Reynolds, Oden, Hawkins, McDow, Brannan, Taylor, Givhan, Lowe, Eddins, Evans, Clark, Robison (Montgomery), Lolley, McCain, Tyson and Mathews:

S. 81. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

By Messrs. Lolley and Clark:

S. 72. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

By Mr. Roberts:

S. 106. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2 (b), Act No. 100, Second Session 1959.

By Messrs. Smith, Robison (Pickens), Reynolds, Dumas, Robison (Montgomery), Montgomery, Allen, Lolley, Hawkins, Wilson, Brannan and Tyson:

S. 108. To amend further Code of Alabama, Title 13, Section 57, in relation to the compensation of the clerk of the Supreme Court.

By Messrs. Smith, Robison (Pickens), Reynolds, Dumas, Robison (Montgomery), Montgomery, Allen, Lolley, Hawkins, Wilson, Brannan and Tyson:

S. 109. To create the office of Supernumerary Clerk of The Supreme Court of Alabama, and to prescribe the duties, term and salary of such officer.

By Messrs. Smith, Robison (Pickens), Reynolds, Dumas, Robison (Montgomery), Montgomery, Allen, Lolley, Hawkins, Wilson, Brannan and Tyson:

S. 110. To amend Code of Alabama, Title 13, Section 62, in relation to the compensation of the reporter of decisions of the Supreme Court and Court of Appeals of Alabama.

By Mr. Brannan:

S. 68. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

By Mr. McDow:

S. 58. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

By Mr. McDow:

S. 59. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Allen:

S. 140. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Mr. Reynolds, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tyson:

S. 141. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

FURTHER CONSIDERATION OF H. B. 114

The Senate proceeded to further consideration of the Bill:

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

The question was on the substitute for the Bill offered by Messrs. Lolley and Carter, which said substitute is set out at length in the Journal of the Senate for the Sixth Legislative Day, and said substitute was then adopted.

Yeas 20; Nays 10.

Yeas:

Messrs.:	Evans	Lolley	Robison (Montgomery)
Adams	Gilchrist	Lowe	Shelton
Bentley	Hammond	Mathews	Smith
Brannan	Hawkins	Nichols	Taylor
Carter	Horton	Oden	Wilson
Cooper			—20

Nays:

Messrs.:	Givhan	McDow	Roberts
Dumas	James	Montgomery	Robison (Pickens)
Eddins	McCain	Reynolds	—10

RECESS

At 2:26 P.M., on motion of Mr. Horton, the Senate took a recess until 2:45 o'clock this afternoon.

The recess period having expired, the Senate was called to order by the President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James	Reynolds	—34

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Fite, Brewer, Turnham, Merrill, Albea, Camp, Bolton, Thomas, Drake, Salter, McCorquodale, Hain, Blanton, Owens, Nabors, Burns, Callahan, Reynolds, Baker (Madison), Cantrell, Beville, Scurlock, Brown (Jefferson), Nettles, Jones (Covington), Vacca, Brown, (Tuscaloosa), Hawkins, Bailes, Collins, Sessions and Etheredge:

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act, to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 112. To the Committee on Finance and Taxation.

FURTHER CONSIDERATION OF H. B. 114

The Senate proceeded to further consideration of the Bill:

H. 114. To amend Code of Alabama 1940, Title 17, Sections 425 and 426, to provide for congressional districts and for the election of congressmen by districts.

as amended by the substitute.

Mr. McDow offered the following amendment to the Bill, as amended, to-wit:

Amendment to H. B. 114 as amended

In Section 1, in the sentence beginning with the words "The fourth district" strike out the word "Chilton"; also, in the sentence beginning with the words "The fifth district", insert the word "Chilton," after the word "Hale,"

Mr. Shelton moved that the amendment offered by Mr. McDow be laid on the table, and the motion to table was lost.

Yea 1; Nays 29.

Yea: Mr. Shelton

—1

Nays:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Montgomery)
Brannan	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Wilson
Dumas	James		

—29

The question recurred on the amendment offered by Mr. McDow to the Bill, H. B. 114, as amended, and said amendment was then adopted by the Senate.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Montgomery)
Brannan	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Wilson

—31

Nays:

—0

Mr. Wilson offered the following amendment to the Bill, H. B. 114, as amended, to-wit:

Amendment to H. B. 114 as amended

In Section 1, in the sentence beginning with the words "The seventh district" after the word "Fayette" insert "Franklin, Marion,"; also, in the sentence beginning with the words "The eighth district", strike out "Marion, Franklin,"

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	James	Nichols
Adams	Eddins	Lolley	Oden
Bentley	Evans	Lowe	Reynolds
Brannan	Gilchrist	McCain	Roberts
Carter	Hawkins	McDow	Robison (Montgomery)
Cooper	Horton	Montgomery	Robison (Pickens)

Shelton

Smith

Taylor

Wilson

—27

Nays:

—0

Mr. Cooper offered the following amendment to the Bill, H. B. 114, as amended, to-wit:

Amendment to H. B. 114 As Amended

Add the following new sections to the bill, to wit:

Section 3. Candidates for election as representatives in Congress who were nominated before the effective date of this Act to run state-at-large shall, not less than 65 days before the next general election, make an election as to the congressional district in which he chooses to run as a candidate in the general election in November. His election must be evidenced by notice in writing given to the chairman of the state executive committee of the political party whose candidate he is, and also by certificate filed with the secretary of state. The names of all candidates who make such certifications shall be certified by the secretary of state to the judges of probate of the several counties as provided in Code 1940, Title 17, Section 145, as amended; and the names of such candidates shall be printed on the ballots and voting machine tabs in the manner prescribed by law.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

POINT OF ORDER

Mr. Robison (Montgomery) raised the Point of Order that said amendment offered by Mr. Cooper was not germane and is therefore out of order.

The Point of Order raised by Mr. Robison (Montgomery) was sustained by the Chair, and said amendment was ruled out of order.

Mr. Carter offered the following amendment to the Bill, H. B. 114, as amended, to-wit:

Amendment to H. B. 114 as amended

In Section 2, add at the end thereof the following: Only separate paper ballots shall be used in the election held in November 1964 for members of Congress, and the use of voting machines for that purpose is prohibited.

The President and Presiding Officer of the Senate ruled that the foregoing amendment was not germane and was therefore ruled out of order.

Mr. Cooper offered the following amendment to the Bill, H. B. 114, as amended, to-wit:

Amendment to H. B. 114 as amended

Add the following new section to the bill:

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Which was adopted.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Montgomery)
Adams	Hammond	McCain	Robison (Pickens)
Bentley	Hawkins	McDow	Shelton
Brannan	Hornsby	Nichols	Smith
Carter	Horton	Oden	Taylor
Cooper	James	Reynolds	Tyson
Dumas	Lolley	Roberts	Wilson
Evans	Lowe		

—29

Nay: Mr. Eddins

—1

Mr. Robison (Pickens) offered the following amendment to the Bill, H. B. 114, as amended, to-wit:

Amendment to H. B. 114 As Amended

Strike the words "Lamar" and "Fayette" from the sentence in Section 1 of the Substitute beginning with the words "The seventh district" and insert said words "Lamar" and "Fayette" in the sentence in Section 1 beginning with the words "The Fifth district" immediately after the words "Counties of".

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 27; Nays 4.

Yeas:

Messrs.:	Dumas	James	Reynolds
Adams	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Hammond	McCain	Shelton
Carter	Hawkins	McDow	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Wilson

—27

Nays:

Messrs.:	Givhan	Montgomery	Robison (Pickens)
Eddins			

—4

Mr. Carter offered the following amendment to the Bill, H. B. 114, as amended, to-wit:

Amend H. B. 114 as amended as follows:

In Section 1 add Winston to the 8th District, and delete same from the 7th district.

Also add Cleburne to the 7th District and delete same from the 4th District.

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 16; Nays 3.

Yeas:

Messrs.:	James	Nichols	Robison (Pickens)	
Adams	McCain	Oden	Shelton	
Brannan	McDow	Reynolds	Smith	
Dumas	Montgomery	Robison (Montgomery)	Wilson	
Evans				—16

Nays: Messrs. Carter, Eddins, Givhan —3

Mr. Lowe offered the following amendment to the Bill, H.B. 114, as amended, to-wit:

Amendment to Sub. for H. B. 114

Amend section 1 by deleting the words Chambers and Tallapoosa from the sentence beginning with the words The Third district, and adding the words Chambers and Tallapoosa to the sentence beginning with the words The fourth district.

On motion of Mr. Reynolds, said amendment was laid on the table.

Yeas 18; Nays 10.

Yeas:

Messrs..	Eddins	James	Reynolds	
Adams	Evans	McCain	Roberts	
Bentley	Givhan	McDow	Robison (Montgomery)	
Carter	Hammond	Montgomery	Smith	
Clark	Horton	Oden		—18

Nays:

Messrs.:	Dumas	Lowe	Taylor	
Brannan	Hornsby	Robison (Pickens)	Wilson	
Cooper	Lolley	Shelton		—10

Mr. Hornsby offered the following amendment to the Bill, H. B. 114, as amended, to-wit:

AMENDMENT TO H. B. 114 as amended

In Section 1, in the sentence beginning with the words "The third district" strike out "Tallapoosa";

Also in Section 1, in the sentence beginning with the words "The fourth district" after the word "Talladega" insert "Tallapoosa."

On motion of Mr. Reynolds, said amendment was laid on the table.

Yeas 16; Nays 7.

Yeas:

Messrs.:	Eddins	Horton	Reynolds	
Adams	Evans	James	Roberts	
Carter	Givhan	McCain	Smith	
Clark	Hammond	Montgomery	Taylor	
Cooper				—16

Nays:

Messrs.:	Hornsby	Lowe	Robison (Pickens)
Dumas	Lolley	McDow	Shelton

—7

Mr. Lowe offered the following amendment to the Bill, H. B. 114, as amended, to-wit:

Amend H. B. 114, as amended, as follows:

In Section 1, in the sentence beginning with the words "The Third District" strike out "Chambers";

Also in Section 1, in the sentence beginning with the words "The Fourth District" after the word "Talladega" insert "Chambers".

On motion of Mr. Reynolds, said amendment was laid on the table.

Yeas 15; Nays 10.

Yeas:

Messrs.:	Eddins	Hornsby	Montgomery
Adams	Gilchrist	Horton	Reynolds
Carter	Givhan	Lolley	Robison (Montgomery)
Clark	Hammond	McCain	Smith

—15

Nays:

Messrs.:	Dumas	McDow	Taylor
Bentley	James	Robison (Pickens)	Wilson
Cooper	Lowe	Shelton	

—10

And said Bill, H. B. 114, as thus amended, was then read a third time at length and passed.

Yeas 23; Nays 9.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Mathews	Roberts
Bentley	Hammond	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson

—23

Nays:

Messrs.:	Givhan	Oden	Shelton
Dumas	James	Robison (Pickens)	Wilson
Eddins	Lowe		

—9

ADJOURNMENT

At 5:08 P.M., on motion of Mr. Nichols, pending further consideration of the Bill, S. B. 67, the Senate adjourned until Tuesday, August 18, 1964, at 2 o'clock P.M.

EIGHTH LEGISLATIVE DAY

TUESDAY, AUGUST 18, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—33

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. McDow, leaves of absence were granted Messrs. Adams and McCain for today.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

J. T. McDOW,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. McDow, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Dumas:

S. 150. An Act to revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963 (Ala. Acts, 1963, page 963, et seq.)

Committee on Local Legislation.

By Mr. Hawkins:

S. 151. To apply in all counties having populations of not less than 96,000 nor more than 106,000; fixing the term of office of the county license inspector.

Committee on Local Legislation.

By Mr. Tyson:

S. 152. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a Bill substantially as follows will be introduced in the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a Pension and Relief system for the regularly organized and paid members of the police and fire departments of the City of Mobile, which shall be supported, maintained and managed as hereinafter provided.

Section 2. There shall be a special fund in the treasury of the City of Mobile to be designated the Policemen's and Fire Fighter's Pension and Relief Fund which shall be set apart by the comptroller or other person performing the duties of Treasurer of the City of Mobile, and shall be held and maintained as other city funds are held and maintained except as is hereinafter provided.

Section 3. There shall be paid into such Fund, out of the treasury of the City of Mobile, an amount equal to five per cent of the amount

of all fines and moneys, except costs of court, paid as a result of prosecutions for violations of ordinances or laws of the City of Mobile, which sums shall be determined and credited to the fund on a monthly basis; two per cent of the monthly salary of every member of the police and fire departments shall be deducted by the proper authority from the monthly salaries of said members of such departments and shall be transferred to the Fund monthly with record kept showing amount credited to each said member; two per cent of the monthly salary of the members of such departments which shall be contributed by the City of Mobile and credited to such Fund monthly; that portion of the assessment that may be fixed by the governing body of the City and added as cost of court in connection with prosecutions for violations of the ordinances of the City of Mobile, provided that the assessment of such costs for this purpose shall not exceed \$3, shall be collected and credited monthly to the Fund; and the Fund shall be credited with any appropriations made by the City when at any time the Fund shall be insufficient to pay the benefits and defray the expenses as provided in this Act. The Board of Commissioners or other governing body of the City of Mobile may appropriate from any funds not otherwise appropriated an amount sufficient to cover such deficiency and may in subsequent budgets provide an amount to cover any anticipated deficits in the Fund.

Section 4. The percentages paid into the City treasury as a result of convictions and prosecutions, court costs, and the sums representing matching payments by the City as provided by Section 3 of this Act are hereby charged with and appropriated to the Policemen's and Fire Fighter's Pension and Relief Fund and shall be so credited by the comptroller or another person performing the duties of Treasurer of the City of Mobile.

Section 5. (a) Moneys may be given or donated to said Fund by any person, firm or association or corporation for the uses and purposes for which said Fund is created, and said Board of Pensions may take by gift, grant, devise or bequests, any money, personal property, real estate or any interest therein or any right of property for the benefit of such Fund; and such gift, grant, devise or bequest may be absolute or in fee-simple or upon condition that only the rents, income and profits arising therefrom shall be applied to the purposes for which said Fund is created.

(b) Trustees may be appointed by the Board of Pensions for the purpose of receiving, holding or managing any property acquired under subsection (a) hereof, if not otherwise named by the instrument of gift or legacy, and for performing duties in connection with funds or properties under control of the board, and such Trustees shall serve subject to such restrictions and conditions as may be prescribed by the Board; provided, however, no salary shall be paid from the Pension and Relief Fund herein created to any person acting as such Trustee.

Section 6. (a) Each fire insurance company doing business in the City of Mobile shall, on or before the first day of February of each year, pay to the City of Mobile for credit to said Pension and Relief Fund, a sum equal to one-half of one per cent of the gross premiums, less returned premiums, received by such fire insurance companies, or their agents, doing business in the City of Mobile for and on account of business done by it during the preceding year; provided, however, that when said insurance companies pay to the City a sum equal to four per cent of its net premiums, such companies shall not be required to pay the amount herein provided to said Pension and Relief Fund.

(b) Each such insurance company shall on or before the due date of such payment file with the Board of Commissioners or like governing body of the City a statement or report in writing, showing the gross

amount of premiums less returned premiums, received by such fire insurance company for and on account of business done by it in the City during the preceding year; which statement or report shall be sworn to by the agent of such fire insurance company in the City, or some other person having knowledge of the facts; and any such fire insurance company failing to make and file such report and statement as aforesaid, shall forfeit to the City of Mobile for use of the Policemen's and Fire Fighter's Pension and Relief Fund, the sum of one thousand dollars, to be recovered against such fire insurance company violating the provisions hereof, or its agents, by suit brought in the name of the City, and all such forfeitures and penalties shall be and become a part of the Policemen's and Fire Fighter's Pension and Relief Fund.

Section 7. The Board of City Commissioners, or other like governing body of the City, is hereby authorized and empowered to set apart and pay into the Pension and Relief Fund not exceeding one per cent of all revenues collected and received by the City from licenses, provided, however, that this section shall not be compulsory.

Section 8. The Board of Pensions hereinafter created is authorized to place in banks at interest and to invest such part of the fund as is not necessarily in use, but such investments shall be limited to United States bonds, state, municipal and county bonds of Alabama. All such securities, funds and moneys shall be maintained and kept separate and apart in special accounts set aside from other moneys and securities of the City, so that they shall at all times be subject to instant use.

Section 9. (a) The Board of Commissioners or other governing body of the City shall create a Board to carry out the provisions of this Act, which shall be designated "The Board of Policemen's and Fire Fighter's Pensions of the City of Mobile", hereinafter called "The Board." The Board shall consist of five reputable persons who are bona fide residents of the City of Mobile and over the age of twenty-one years, one to be an active member of the Mobile Police Department, and one to be an active member of the Mobile Fire Department. Members of the Board shall hold office for six years and until their successors are appointed, unless sooner removed at any time for good cause by the appointing authority. No member of the Board shall receive any compensation for this.

(b) The Board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Three members of the Board shall constitute a quorum for transaction of business.

(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings, which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section 22 hereof and shall perform such other duties as may be prescribed by the Board.

(e) The Chairman of the Board of Pensions shall provide bond in the penal sum of \$25,000 conditioned upon faithful performance of his duties, the premium of which shall be paid by the City of Mobile from the General Fund.

(f) All applications for pensions and relief under this Act shall be heard and determined by the Board of Pensions.

(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term.

Section 10. All warrants drawn against the fund shall be on order of the Chairman of the Board of Pensions and shall be signed as are other warrants signed and executed by authorized authorities of the City. However, such warrants shall be different in color, or otherwise, so as to distinguish them from other City warrants drawn by said City. No portion of said Policemen's and Fire Fighter's Pension and Relief Funds shall, before or after its order for distribution, be seized or held or in any wise subject to garnishment or levy of execution or attachment issued out of or by any court of this State, or any other State, so far as any debt, damage, demand, claim, judgment or decree against any beneficiary in such funds, but shall be exempt therefrom.

Section 11. Every member of such police and fire departments shall come under the provisions and benefits of this Act, but no member of the Board of Commissioners or of other departments of the City shall be entitled to benefits hereunder.

Section 12. If any member of such police and fire department, while in the performance of his duties, becomes and is found to be temporarily totally disabled, mentally or physically, for services in such police or fire departments, by reason of service therein, the Board of Pensions shall order the payment and there shall be paid from the fund herein provided to such disabled member an amount equal to fifty per cent of his monthly salary, but not to exceed one hundred dollars per month, during such period of total disability. Provided, however, that such member during the period of disability is paid no salary as a member of the police or fire department or any other department of the city, and provided further that such payment shall not continue beyond one year from the date of the determination of temporary total disability. Such disability shall be determined by the Board of Pensions after report from the City Physician, and such other physicians and surgeons as the Board may consult, and after the consideration of any other evidence the Board may desire to consider.

Section 13. (a) If any member of the police or fire department while in the performance of his duty is found and determined to be physically or mentally permanently disabled for service by reason of such service so as to render his retirement necessary, the Board of Pensions shall make the necessary orders and shall retire such disabled member from service. Upon such retirement the member shall be paid monthly from the Fund, an amount equal to sixty per cent of his monthly salary, the payments to be made during such disability.

(b) Should any member of such police or fire department who has served in such department for a period of fifteen years be found to be physically or mentally permanently disabled (through no misconduct on his part) for service in such police or fire departments, so as to render his retirement from such service necessary, the Board of Pensions shall make the necessary order, and shall retire such disabled member from service and upon such retirement the member shall be paid monthly from the Policemen's and Fire Fighter's Pension and Relief Fund an amount equal to fifty per cent of his monthly salary. Such members under subsection (a) and (b) herein may be called back and examined at any time under the orders of the Board of Pensions, and may be ordered back to active service, or to perform other services in connection with the City, such as he is able to perform, according to the instructions, findings and orders of the Board. While in active service, such pension will not be paid.

Section 14. Any member or former member of the police or fire department who has been in the service thereof for as long as twenty

consecutive years, upon making written application to the Board of Pensions therefor, shall, without medical examination or disability, be retired from service in such police or fire department; and, upon such retirement, the said Board of Pensions shall direct the payment to such retired member monthly from the Fund herein created a sum equal to fifty per cent of the monthly compensation or salary received by such member as salary in such fire or police department at the time of his retirement; provided, however, that said payments to said retired member of the police or fire department shall not commence or be effective earlier than the fifty-fifth birthday of the member.

Section 15. (a) Any member or former member of such police or fire department who has been in the service thereof for as long as twenty-five years, the last ten years of which have been continuous, upon making written application to the Board of Pensions shall, without medical examination or disability, be retired from service of such fire or police department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-two and one half per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

(b) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty years, the last ten years of which have been continuous, upon making written application to the Board of Pensions therefor, shall without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-five per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

(c) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty five years or longer, the last ten years of which have been continuous, upon making written application to the Board of Pensions thereof shall, without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty fifth birthday of such member, monthly from such Fund, a sum equal to sixty per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

Section 16. (a) Whenever an active or retired member of such police or fire department shall die, there shall be appropriated and paid from the Fund the sum of one hundred dollars for funeral and burial expenses of such deceased member, which sum shall be used for funeral and burial expenses and paid out upon order of the Pension Board to the person or persons designated by the Chief of Police, if decedent was a member of the Police Department, or the Chief of the Fire Department, if decedent was a member of the Fire Department.

(b) Whenever a member of the police or fire department of the city shall die while an active employee thereof with fifteen years or more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, or whenever any member of the police or fire department, regardless of his or her length of service, shall die while on duty or dies before retirement as a result of injuries sustained while on duty, and in either event if such deceased employee shall leave a widow,

such widow shall receive fifty per cent of the member's pension entitlement as determined on the date of death of the deceased, but not to exceed on hundred dollars (\$100.00) per month. The widow may receive such payments for the term of her life or until her remarriage, by establishing her eligibility (1) by proof of a bona fide marriage to the deceased consummated not less than one year prior to the date of death, if deceased was an active employee, or one year prior to transfer to the pension roll if deceased was a retired or disabled employee. For the purpose of this Act, proof of a common law marriage shall not be considered a bona fide marriage) (2) upon proof that the claimant and the deceased were living together as man and wife on the date of the death of deceased and had been so living for at least one year prior to the date of his death; and (3) upon supplying such annual proof of continued eligibility as may be required by the Board for continued pension.

(c) Whenever a member of the Police or Fire Departments of the City shall die while an active employee thereof with fifteen years or more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, or whenever any member of the Police or Fire Department, regardless of his or her length of service, shall die while on duty or dies before retirement as a result of injuries sustained while on duty, and in either event if such deceased employee shall leave no widow, but shall leave an unmarried child or children under the age of eighteen on the date of his death, such child or children shall receive the widow's benefit as herein provided not to exceed one hundred dollars (\$100.00) per month, which payments shall be made through a guardian until the youngest child reaches the age of eighteen, or is married.

(d) Whenever the employment of a member of the Police or Fire Department of the City shall be terminated by death or for any other reason before eligibility for benefits has been established, the contribution of such employee to the Fund shall be refunded in lump sum without interest to the employee, his widow or children, a named beneficiary, or to his estate, as the case may be. Prior service of an employee rehired after termination and refund as herein provided shall not count toward future retirement.

Section 17. In all matters involving the disability or sickness of members of the Police or Fire Department, the Board of Pensions may cause such disabled or sick member to be examined by the City Physician, and such other reputable physicians or surgeons as it may select, who shall report to the Board in writing the result of such examination or examinations and it is hereby made the duty of the City Physician, when requested by the Board to make such examination and to report his findings as herein provided. Any member of the Police or Fire Department who refuses to allow such examinations as may be considered necessary by the Board shall, during the continuance of such refusal, be debarred from receiving any benefits whatever under this Act.

Section 18. Members of the Police and Fire Departments of the City of Mobile who shall receive the benefits of this Act shall continue to receive such benefits only during the period of their eligibility thereof, and shall submit annually and at such other times as ordered by the Board such statements or other evidence of eligibility as may be required by the Board.

Section 19. Should the Pension and Relief Fund at any time be insufficient or inadequate to pay pensions to those properly entitled to receive same, the person or persons so entitled to payments shall not file suit for payment thereof but the Board of Pensions shall have absolute discretion as to what portion of the pension shall be paid, and when

there are several persons entitled to payments, and the funds are insufficient to pay them in full, the Board of Pensions shall prorate the available amount to the respective claimants. However, at no time shall the payments exceed the limits fixed in this act.

Section 20. There shall be kept by the Secretary of the Board of Pensions a book in which shall be maintained a list of retired policemen and fire fighters. Such book shall also give a full and complete history and record of the action of the said Board in retiring any and all persons under this Act and shall show the names, date of entering service in such police or fire departments, periods of employment, date of retirement and the reason for such retirement and such other information as the Board may require, including written requests from members desiring retirement.

Section 21. It shall be the duty of the City Attorney of Mobile to give advice to the Board of Pensions in all matters pertaining to the duties of the Board and the management of the Pension and Relief Fund, whenever requested to do so, and shall represent and defend the Board as its attorney in all suits and actions at law or in equity that may be brought against it or the City of Mobile in connection with its duties, and during all suits and actions in its behalf that may be required or determined upon by the Board.

Section 22. Any member of the Police or Fire Department of the City of Mobile may elect at any time not to come within the provisions of this Act, and shall he so elect, no part of his salary shall be deducted for the Pension and Relief Fund. His election must be in writing, signed by him, and filed with the Board of Pensions. Thereafter, he shall not be allowed to come within the provisions or be entitled to the benefits of this Act, unless he first makes application to the Board of Pensions, and such Board may use its discretion in the premises, but said persons shall not be credited for services in the Police or Fire Departments for the time during which he was not bound by the provisions of this Act.

Section 23. In case of any dispute arising out of this Act or any of its provisions or on any decision relating to application for benefits, the decision of the Board of Pensions shall be final. In no event shall any suit be filed against the Board of Pensions, any of its members or the Board of Commissioners or other governing authority of the City, for the recovery of any pension or to enforce any of the provisions of this Act. However, should any suit be brought on behalf of the City or the Board of Pensions, it shall be brought in the name of the City of Mobile, and not in the name of the Board of Pensions.

Section 24. All powers, duties and responsibilities related to the establishment and administration of a pension and relief system for policemen or firemen for the City of Mobile which have heretofore been exercised by the Board of Commissioners or any other board or agency of the City of Mobile for the purpose of administering such system, created under authority of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350), shall be vested in the Board of Pensions herein created and established; all funds, books, records, supplies and equipment and all other assets of any kind or nature created and used in the administration of such former pension and relief system shall be transferred to and administered by the Board of Pensions herein created; and all accrued rights and liabilities under any former pension and relief system for policemen and firemen of the City shall be retained and preserved and all obligations and duties under such former system shall be fully performed in the same manner and to the same extent by the Board of Pensions created by this Act as they would have been performed by any authority replaced by the board of pensions.

Section 25. All laws and parts of laws and specifically that part of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350) in conflict with this Act are repealed.

Section 26. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 27. This Act shall take effect October 1, 1964 and shall not have retroactive application.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 28, Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

By Mr. Cooper:

S. 153. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Committee on Local Legislation.

By Mr. Cooper:

S. 154. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Committee on Local Legislation.

By Messrs. Allen, Montgomery, Metcalf, Reynolds, Hawkins, Tyson, Evans, Hammond, Taylor, Lowe, Lolley, James, Mathews and Smith:

S. 155. To revise and amend Section 100 of Title 15, 1940 Code of Alabama (as amended), relating to the issuing of search warrants.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hankins (with notice and proof):

H. 95. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

By Mr. Hankins:

H. 97. To apply only in counties having populations of not less than 13,700 nor more than 14,300, relative to closing the office of officials in the courthouse.

By Mr. Carter:

S. 148. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

By Messrs. Hannah and Boston (with notice and proof):

H. 100. Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

By Messrs. McDermott and Edington:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

By Mr. Givhan:

S. 88. To amend further Code of Alabama 1940, Title 37, Section 440, in relation to the compensation of the mayor of any city having a population of not less than 28,000 nor more than 29,000.

By Mr. Reynolds:

S. 147. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings in counties having not less than 26,000 nor more than 27,000 population, according to the last or any subsequent decennial census.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite et al:

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the pro-

ceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

By Mr. Hammond:

S. 135. To provide for a survey of the mineral, water and petroleum resources of the counties within the Coosa, and Tennessee River basins, and for making and expending an appropriation for the purposes of this Act and to provide an effective date therefor.

By Mr. Hammond:

S. 144. To make an appropriation out of the general fund in the state treasury to Northeast Alabama Farmers Market for public instruction and equipping such market.

By Mr. Tyson:

S. 93. Relating to taxation, providing certain exemptions from the state sales and use taxes.

Mr. Clark, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 145. To provide further for the certification and election of representatives in Congress by districts, repealing conflicting laws.

Mr. Clark, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Roberts (with substitute):

S. 114. To authorize additional meetings with pay for boards of registrars and jury commissions; to set the conditions under which such meetings may be held; to authorize county governing bodies and the state to expend funds for equipment and clerical assistance for boards of registrars and jury commissions; and to authorize the state to provide legal assistance as needed to carry out the purposes of this act in preventing registration or jury service of persons not qualified under state laws.

Mr. Brannan, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Horton:

S. 124. Relating to imported meat and meat products; to require the proper identification of such meat and meat products when offered for sale within the state; to require identification on bids of such meat and

meat products to state institutions; and to provide penalties for the violation thereof.

RESOLUTIONS

Mr. Tyson offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING; that

WHEREAS, Judges of the Miss Alabama contest have seen fit to select Miss Vicki Powers of Mobile as the most outstanding example of the beauty and talent abounding in this state; and

WHEREAS, the participation of Miss Powers in the Miss America contest in Atlantic City will bring credit to this entire state; and

WHEREAS, it is felt that Miss Powers will be successful in her endeavors to achieve the title of Miss America, following in the footsteps of the last Mobile girl to be selected as Miss Alabama; and

WHEREAS, this body, representative of all the people of this great state, is desirous of lending its support and encouragement to Miss Alabama;

NOW THEREFORE BE IT RESOLVED that the Alabama Legislature does hereby congratulate Miss Vicki Powers upon her selection as Miss Alabama; and

BE IT FURTHER RESOLVED that the Legislature go on record as recommending Miss Powers to the American people as the finest example of this nation's womanhood; and

BE IT FURTHER RESOLVED that Miss Powers is hereby invited to appear at her earliest convenience to accept the homage and congratulations of this body.

On motion of Mr. Tyson, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Burns, Nabors and Owens:

H. 31. Relating to justice of the peace courts in counties having populations of not less than 96,000 nor more than 106,000; to restore to or reconfer on certain justices of the peace and notaries public ex officio justices of the peace within such counties certain jurisdiction withdrawn and taken away from them by local acts.

Also:

By Messrs. Engel, Edington, McDermott, Rogers, Hogan and Smith:

H. 123. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags, and by prescribing further penalties.

Also:

By Messrs. Fite, Brewer, Cantrell, Turnham, Merrill, Albea, Camp, Bolton, Thomas, Drake, Salter, McCorquodale, Hain, Blanton, Owens,

Nabors, Burns, Baker (Madison), Reynolds, Bevill, Scurlock, Brown (Jefferson), Nettles, Jones (Covington), Vacca, Brown (Tuscaloosa), Hawkins, Bailes, Collins, Callahan, Sessions and Etheredge:

H. 113. To amend Act No. 92 adopted at the Second Special Session of 1963 of the Legislature of Alabama to provide for the collection and distribution of the proceeds of the tax levied by the said act.

Also:

By Mr. Goodwyn:

H. 188. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 130,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit, but shall be payable from the benefits secured for, or on behalf of the persons for whose benefit any such suit was successfully prosecuted; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

Also:

By Messrs. Cook and Bassett:

H. 17. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

Also:

By Messrs. Engel, Meade, Pierce, Jones (Monroe), Turnham and Cornett:

H. 135. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 31 and 188. To the Committee on Local Legislation.

H. B.'s 113, 17 and 135. To the Committee on Finance and Taxation.

H. B. 123. To the Committee on Judiciary.

RECESS

At 2:30 P.M. on motion of Mr. Mathews, the Senate took a recess until 4 o'clock P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Allen, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Albea, Avery, Bailes, Baker (Madison), Baker (DeKalb), Barnett, Bassett, Bethea (B), Bethea (M), Beville, Blanton, Bolton, Boston, Bowers, Branyon, Brewer, Brown (Jefferson), Brown (Tuscaloosa), Burnham, Burns, Callahan, Camp, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Carr, Casey, Cates, Collins, Cook, Cooper, Cornett, Crawford, Daniel, Davis, Doggett, Dominick, Downing, Drake, Edington, Edwards (Lowndes), Edwards (Escambia), Engel, Etheredge, Faulk, Fields, Fite, Gilmore, Glass, Goldthwaite, Goodwyn, Grouby, Hain, Hankins, Hannah, Harper, Hawkins, Heflin, Hester, Hogan, Holladay, Ingram, Jones (Covington), Jones (Monroe), Little, Locke, McCorquodale, McDermott, Mashburn, Meade, Meeks, Merrill, Moore, Morrow, Nabors, NeSmith, Nettles, Owens, Paulk, Pennington, Perry, Pierce, Posey, Powell, Pruitt, Rast, Reynolds, Rogers, Salter, Scurlock, Sessions, Slate, Smith, Snell, Steagall, Stemberge, Sullivan, Teel, Thomas, Turner (Crenshaw), Turner (Limestone), Turnham, Vacca, Wood, Young:

H. J. R. 33. WHEREAS the approaching retirement of Dr. Ralph Brown Draughton from the presidency of Auburn University marks the culmination of one stage of his long and illustrious career, both in the academic world and in public service; and

WHEREAS Dr. Draughon born in Hartford, Alabama, the son of John William and Vashti Roney Draughon, families long prominent in shaping the history of Alabama and of the South, was educated in Alabama schools and colleges with graduate study at the University of Chicago. Dr. Draughon earned both his bachelor and masters degrees, was awarded an L. L. D. degree by both Birmingham-Southern and the University of Alabama, and an L. H. D. by Howard College; and

WHEREAS Dr. Draughon, teacher, principal, college professor, and administrator, brought to the presidency of Auburn an unusual amount of practical experience and ability which combined with his scholarly attitude, personal charm, and business acumen, have resulted in a most successful administration. During Dr. Draughon's sixteen-year administration Auburn's total enrollment has increased nearly fifty percent with the largest increase being in the graduate area which has increased five-fold. Other major increases have been in the School of Education, Science and Literature, and Engineering. All programs leading to the doctorate and many of those leading to the masters degrees at Auburn have been initiated under Dr. Draughon's administration, with more than one hundred doctoral degrees having already been awarded. Every school and department at Auburn is today fully accredited by every regional and national accrediting agency. More than forty percent of the teaching faculty on campus now hold the Ph.D. or other terminal degree as compared with only twelve percent at the beginning of Dr. Draughon's administration; and

WHEREAS more than fifty major buildings representing a capital outlay in excess of thirty million dollars have been built during this sixteen year period, which more than doubles the previously existing facilities of the University. The first phase of the Auburn University Development Program was successfully completed by reaching its initial monetary goal. Research funds at Auburn University account for more than twenty percent of expenditures, most of which are in the life and physical sciences, and with an overall total of six million dollars for research; and

WHEREAS many honors have come to Dr. Draughon and his inclusion in the membership of numerous associations, boards, and scholastic fraternities attest the esteem in which he is held by his colleagues; and

WHEREAS a recital of Dr. Draughon's accomplishments in enlarging the size and adequacy of the physical plant, and in acquiring a stronger faculty with a steadily increasing enrollment is indeed an impressive one, it would be incomplete without the inclusion of the many contributions which Dr. Draughon has made to the thousands of students whose lives were influenced by his teaching and wise counsel, and who will long remember his many personal kindnesses and quiet understanding; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to express its deepest appreciation to Dr. Draughon for his most successful administration as President of Auburn University and for his many contributions to all levels of education in Alabama. Every best wish is extended to Dr. Draughon for many more years of fruitful endeavor as well as for years of enjoyable retirement which he so richly deserves.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Rules were suspended and the Resolu-

tion, H. J. R. 33, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—33

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 6. Relative to expressing regret the passing of Robert Horton Rutland and expressing sympathy to all surviving members of his family.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 7. Relative to congratulating Miss Linda Vaughn.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Barnett, Pierce, Goodwyn, Goldthwaite and Little:

H. J. R. 28. WHEREAS, Miss Shirley Crawford of Marion, Alabama, and John Hamilton Jordan of Montgomery, Alabama, were chosen as National Merit Scholars for the 1964 High School scholastic year, and

WHEREAS, the President's Scholastic Scholarship Board selected and designated these two Alabama students as Presidential Scholars to receive awards from the President, and

WHEREAS, upon invitation of President Johnson, these two outstanding High School graduates of Alabama, with 119 other students of the Nation, met with the President and Mrs. Johnson at the White House on June 10th where they were entertained and presented with

the first Presidential Scholar award of bronze medals for each student, and

WHEREAS, Miss Crawford and Mr. Jordan have received National recognition for their achievement as scholars and young citizens of great potential; Now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, that each of these two fine students are congratulated by the Legislature on the National honors received and the Legislature on behalf of the State of Alabama extends recognition of their achievement of honors for their State as well as themselves.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to both Miss Crawford and Mr. Jordan and that these two High School graduates be invited to come together for a visit to each House of the Legislature so that the Presiding Officer of each respective House may have the opportunity and pleasure of presenting them to the members of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison (Montgomery), the Rules were suspended and the Resolution, H. J. R. 28, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to H. J. R. 23, the Speaker of the House has named as a committee on the part of the House Messrs. Sullivan, Hester and Pennington.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

By Mr. Fite:

H. 114. To provide for congressional districts and for the election of congressmen by districts, amending Code 1940, Title 17, Sections 425 and 426.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. McCorquodale, Callahan, Pruitt, Bowers, Faulk, Hankins, Barnett, Thomas, Fields, Daniels, Nettles, Jones (Monroe), Bassett,

Smith, Glass, Edwards (Escambia), Mashburn, Doggett, Hawkins, Crawford, Salter, Locke and Avery:

H. J. R. 29. WHEREAS Earl Lee Tucker, Clarke County's most famous and beloved citizen passed away at his home in Thomasville on April 7th, 1964 after a long and painful illness which he bore with courage and simple dignity to the end; and

WHEREAS Earl Tucker was known throughout the world for his humorous column, "Rambling Roses and Flying Bricks" which he wrote for thirty years and which appeared in more than forty newspapers and magazines. He had also published three books: How Not to Worry About The Love Life of A Spider, All The Nuts Are Not on Trees, and one bearing the same title as his newspaper column. Mr. Tucker who was editor-publisher of the Thomasville Times from 1926 until he sold it in 1959, was a journalist's journalist, and highly respected in his field; and

WHEREAS Mr. Tucker was a most popular after-dinner speaker whose wit and humor were frequently compared to that of the late Will Rogers because of his ability to poke subtle and kindly fun at troublesome situations and pompous persons. His good natured spoofing of people and the times served as gentle reminders of the need to place persons and events in their proper perspective. He was a man of simple tastes and straight-forward words, but was yet a deep thinker with the rare ability to simplify and reduce a problem to its lowest common denominator.

WHEREAS Earl Tucker, son of families long prominent in Alabama, his mother having been Mrs. Lula Hall Tucker and his father the late Major A. B. Tucker, editor and publisher of the Thomasville Times, and one time city editor of the Montgomery Advertiser, has carried on the tradition of his forebears. Earl Tucker himself was an outstanding citizen who contributed greatly to his town and county by his able services as a representative in the state legislature for fourteen years, as chairman of the Clarke County Democratic Executive Committee, and as chairman of the City Parks and Recreation Board. He worked diligently and tirelessly for the construction of the Thomasville Hospital which was the culmination of his dream, and was the first and only chairman of the hospital board until his death. He was a member of the Thomasville Baptist Church; Sigma Delta Chi, professional journalism fraternity; was a Mason, a Shriner, and a Rotarian; served as State Easter Seal Chairman in 1958; was Head Consul for the Woodmen of the World in Alabama in 1962-1963; was selected as the Thomasville School's most outstanding alumnus in 1962; was a member of the Alabama Wildlife Federation; and was an ardent sportsman who in concern for the youth of his community left in trust a sum for the development and perpetuation of baseball in his home town.

WHEREAS Earl Tucker was a man of many talents who contributed much to his state and to his community, who never shunned responsibility, but rather spear-headed numerous worthwhile endeavors, perhaps his greatest contribution was in being himself. He loved nature and he loved people. It may be said that he knew how to live, and by so living made this a better world for a host of friends who mourn his loss; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body expresses its deepest sorrow upon the passing of Earl Tucker, our beloved friend and former colleague and extends its sincere sympathy to his family.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mr. Tucker's brothers, Mr. Edwin Tucker of Moundville and Mr. Ar-

thur Tucker of Birmingham, and the Thomasville Times, Thomasville, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Evans, the Rules were suspended and the Resolution, H. J. R. 29, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cates:

H. J. R. 30. WHEREAS the death of Mr. T. R. Nash, on August 11, 1964 ended the long and distinguished career of a beloved and highly esteemed veteran county commissioner; and

WHEREAS Mr. Nash served forty consecutive years of service in public office as commissioner for district 3, which fact attests to his popularity and business acumen in this position of public trust. During the span of years Mr. Nash was in office, Shelby County came to the forefront in county government in Alabama. A fine system of highways and roads has been developed and well constructed public buildings mark the progress that has been made in the county. Much of the success of a sound and responsible county government is the result of the wisdom and good judgment of Mr. Nash. His ability, his interest and his strict integrity, combined with a good sense of humor made him a valuable public official; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mr. Nash, and extend our sincere sympathy to Mrs. Nash to whom a copy of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDow, the Rules were suspended and the Resolution, H. J. R. 30, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Steagall:

H. J. R. 32. WHEREAS the new school building at Skipperville is a source of great pride to the citizens of that community and will be of great benefit to the educational and civic life of the community for years to come; and

WHEREAS the Honorable George W. Long, Superintendent of Education for Dale County, contributed greatly toward the securing of said school; and

WHEREAS, Mr. Long taught for many years in the Skipperville schools and has long been interested in and concerned with the establishment and construction of a new school building to serve the Skipperville community; and

WHEREAS the entire membership of the Dale County Board of Education, representatives of the County Parent Teachers Association, and of the Boosters Club of Skipperville have petitioned the Dale County delegation in the Alabama Legislature for permission to name the new school building at Skipperville for Mr. Long; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new school building at Skipperville shall be, and it is hereby named, designated and known as the "George W. Long Skipperville School".

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 32, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 26. WHEREAS Mr. Leon McCluer, beloved professor at Jacksonville State College, with which institution he was associated for a period of thirty-seven years retired June 1, 1964; and

WHEREAS Professor McCluer who was ever an inspiration to his colleagues and students, gave unselfishly of his time and efforts, and for several summers paid the expenses of one or more students who attended religious leadership camps held at Stony Lake, Michigan; and

WHEREAS Professor McCluer served for several years as the faculty representative of the Y.M.C.A. on campus, for seven years as faculty representative of the Danforth Foundation on campus, and as chairman of the fund raising campaign for a chapel which now adjoins the auditorium; and

WHEREAS Professor McCluer will long be remembered with gratitude and affection by the hundreds of students whose lives were influenced by his teaching and wise counsel, it would be a fitting tribute to name the chapel for this dedicated man; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Board of Education shall have the privilege of naming the chapel at Jacksonville State College, "McCluer Chapel", if it sees fit.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelton, the Rules were suspended and the Resolution, H. J. R. 26, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Edwards (Escambia):

H. J. R. 27. WHEREAS Governor George Wallace has long been keenly interested in the promotion of education, has been responsive to the needs and desires of the people of this state for education, and has been sensitive to the problems that confront efforts to meet the needs of education; and

WHEREAS Governor Wallace early in his legislative career realizing and facing up to the fact that the South had not kept pace with other sections of the nation in industrial development because of the lack of facilities for training youth in handicrafts, industrial arts, and trades, and being aware that training centers for craftsmen, artisans, and skilled mechanics must be located in areas convenient to the promotion of industry, and accessible to persons needing and desiring such training, introduced the Wallace Trade School Act in 1947 which has been primarily responsible for opening new vistas for our youth and bringing new industry to our state; and

WHEREAS Governor Wallace's interest in the junior college program is giving new impetus to higher education the promotion of which he has long espoused; and

WHEREAS Governor Wallace has been diligent in instituting economies and providing funds for the furtherance of all phases of education to the end that the people of Alabama may fully reap the benefits and enjoyments of the highest level of education which they are individually capable of attaining; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we heartily commend Governor Wallace for his efforts in behalf of education and assure him of our whole hearted support in his future efforts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brannan, the Rules were suspended and the Resolution, H. J. R. 27, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hain and Blanton:

H. 23. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

Also:

By Mr. Powell:

H. 25. To apply only in counties having populations of not less than 28,000 nor more than 30,575, authorizing such counties to make certain temporary loans.

Also:

By Messrs. Rast, Brown (Jefferson), Etheredge, Collins, Dominick, Meeks, Perry, Bowers, Bethea (M), Vacca, Gilmore, Sessions, Locke, Hawkins, Bailes and Morrow:

H. 72. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

Also:

By Messrs. Engel, McDermott, Rogers, Hogan, Edington, Fields, Downing and Smith:

H. 139. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Amendment CXCV to the Constitution of Alabama providing for the levy and collection by Mobile County of a special tax, not exceeding six mills on each dollar of taxable property in the County, for public hospital purposes.

Also:

By Mr. Cantrell:

H. 18. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

The Town Council of the Town of Littleville, Alabama, hereby gives notice that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama, be, and the same are

hereby extended, altered and rearranged so as to include within the corporate limits of said town all of the following described territory;

DESCRIPTION

Section 22, Township 5 Range 11 West in Colbert County, Ala.;
Section 23, Township 5, Range 11 West in Colbert County, Alabama;
Section 26, Township 5, Range 11 West in Colbert County, Alabama;
Section 34, Township 5, Range 11 West in Colbert County, Alabama;
the East $\frac{1}{4}$ of Section 27, Township 5, Range 11 West in Colbert County, Alabama.

Section 2. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

I hereby certify that the Legal Notice above was published in The VALLEY VOICE, Tuscumbia, Colbert County, Alabama for four consecutive weeks—July 31, 1963; August 7, 14 and 21, 1963.

/s/ CLINTON T. HOWELL
CLINTON T. HOWELL,
General Manager.

Subscribed and sworn to before me this the 31st day of July 1964.

/s/ ROBERT STANFORD,
Notary Public, State-at-Large.

(SEAL)

Also:

By Messrs. Nabors, Owens and Burns:

H. 29. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the Town of Rainbow City, Etowah County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the next special or regular session of the Legislature of the State of Alabama, the undersigned will introduce a Bill in the Legislature as follows:

An act to alter, rearranged and extend the boundary lines of the City of Gadsden, Alabama in Etowah County, Alabama, so as to include within the corporate limits of said city certain property therein set out and described.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Gadsden in Etowah County, Alabama, are hereby altered, rearrange and change so as to include within the corporate limits of said city all of the following described real estate located in Etowah County, Alabama, and specifically described by metes and bounds as follows, viz:

Beginning at the southeast corner of Wildwood Estates, according to the map or plat thereof as recorded in Plat Book "G", page 165 in the Probate Office of Etowah County, Alabama, and from thence run in a northerly direction along the east line of said Wildwood Estates a distance of 813 feet to the point of intersection with the northeast line of Lot 18 in said Wildwood Estates; thence in a northwesterly direction along the

northeast line of Lots 18, 17 and 16 in said Wildwood Estates a distance of 432.80 feet to the northeast corner of said Lot 16; thence deflect an angle of 61 degrees 14' to the left and run in a southwesterly direction along the northwest line of Lot 15 in said Wildwood Estates a distance of 242.09 feet to the northwest corner of Lot 14 in said Wildwood Estates; thence in a southerly direction along the west line of said Lot 14 a distance of 218.05 feet to a point; thence deflect an angle of 90 degrees to the right and run in a westerly direction along the north line of an area designated "Reserved" in said Wildwood Estates, a distance of 400 feet to a point; thence deflect an angle of 27 degrees 02' to the right and run in a northwesterly direction a distance of 187.06 feet to a point; thence deflect an angle of 27-degrees 02' to the left and run in a westerly direction a distance of 160 feet to a point in the east line of Silvey Street; thence in a southerly direction along the east line of Silvey Street a distance of 575.03' to point in the southwest corner of Lot 32 in said Wildwood Estates; thence in an easterly direction along the south lines of Lots 32, 31, 30 and 29 in said Wildwood Estates a distance of 400.91 feet to the northwest corner of Lot 28 in said Wildwood Estates; thence in a southerly direction along the west lines of said Lot 28 a distance of 34.83 feet to the southwest corner thereof; thence in a southeasterly direction along the southwest line of said Lot 28 and the said southwest line extended in a southeasterly direction to a point in the westerly line of Lot 26 in said Wildwood Estates; thence in a southerly direction along the westerly line of said Lot 26 to the southwest corner thereof; thence in an easterly direction along the south lines of Lots 26, 25, 24 and an area designated "Reserved" said Wildwood Estates to the point of beginning, all being in Etowah County, Alabama.

Section 2. All laws or parts of laws, both general, special or local in conflict with this act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon the passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. bookkeeper of The Gadsden Times, a newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of An act to alter boundary lines, which notice was printed in The Gadsden Times in its regularly circulated editions on Dec. 21, 28, 1963, Jan. 4, and 11, 1964, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 3 day of Aug., 1964.

I. B. SCRUGGS.

Subscribed and sworn to before me on this the 3 day of Aug., 1964.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

Also:

By Messrs. Nabors, Owens and Burns:

H. 30. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the next special or regular session of the Legislature of the State of Alabama, the undersigned will introduce a Bill in the legislature as follows:

An act to alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Boundary lines of the City of Gadsden, Etowah County, Alabama, be, and the same are altered or rearranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Glencoe, Etowah County, Alabama as hereinbelow set out, all of which territory lying within the County of Etowah, State of Alabama and said additional territory being particularly described as follows, to-wit:

All of those portions of Lots Numbers Six (6), Seven (7) and Eight (8) in Block "8-A" and all of those portions of Lots Two (2), Three (3), Four (4) and Five (5) in Block "8-B" and all those portions of Bobby Royce Street according to the map or plat of John Miles Re-arrangement of Block 8 in Glenwood Addition to Gadsden and Glencoe, Alabama, recorded in Plat Book "G", Page 31 in the Probate Office of Etowah County, Alabama, which lie east of the present corporate limits of the City of Gadsden, Alabama.

Section 2. That the parcels of land set out in Section 1 of this act be, and the same are hereby included and embraced within the boundary of the City of Gadsden and shall be and constitute a part of the City of Gadsden, Etowah County, Alabama.

Section 3. That all laws and parts of laws both general, special, and local, in conflict with this Act be, and the same are hereby repealed.

Section 4. That this Act shall go into effect immediately upon its approval by the Governor.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of A. bill to be enacted, which notice was printed in The Gadsden Times in its regularly circulated editions on June 6, 13, 20, and 27, 1964, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 31 day of July, 1964.

I. B. SCRUGGS.

Subscribed and sworn to before me on this the 31 day of July, 1964.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

Also:

By Mr. Hester:

H. 35. Relating to counties having a population of not less than 21,988 nor more than 22,000; and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such a salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Also:

By Mr. Posey:

H. 163. To apply in counties having populations of not less than 14,400 nor more than 14,900, providing expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body.

Also:

By Mr. Posey:

H. 164. Relating to counties having populations of not less than 14,400 nor more than 14,900; fixing the compensation of the coroner.

Also:

By Mr. Posey:

H. 165. To apply in counties having populations of not less than 14,500 nor more than 14,900: regulating the compensation of the county superintendent of education.

Also:

By Mr. Posey:

H. 166. To apply in counties having populations of not less than 14,500 nor more than 14,900: To provide for filling vacancies in county offices.

Also:

By Mr. Posey:

H. 167. Relating to counties having populations of not less than 14,400 nor more than 14,900, according to the last or any subsequent

federal decennial census; providing further for the supervision, administration and control of the public schools; providing for the election and compensation of members of the board of education; and prescribing the duties of members of the board of education.

Also:

By Messrs. Albea, Burnham and Merrill:

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Also:

By Mr. Moore:

H. 184. Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue.

Also:

By Messrs. Slate and Brewer:

H. 190. Relating to the Municipality of Hartselle, in Morgan County, Alabama: to alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the next Special or Regular Session of the Legislature of Alabama for the enactment of local law substantially as follows:

A BILL TO BE ENTITLED AN ACT

Relating to the Municipality of Hartselle, in Morgan County, Alabama:

To alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The boundaries of the Municipality of Hartselle, in Morgan County, Alabama, are hereby altered, re-arranged, and extended to include within the corporate limits of the Town of Hartselle, Alabama, in addition to the territory now embraced therein, the following described territory situated in Morgan County, Alabama, to-wit:

The NW¼ of the SE¼ of Section 9, Township 7 South, Range 4 West.

SECTION 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher and Owner of The Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 23, January 30, February 6, and February 13, all in the year 1964.

JACK W. HOFFHAUS.

Sworn to and subscribed before me 3rd day of August, 1964.

WILMA V. NEWMAN,
Notary Public.

Also:

By Messrs. Slate, Turner (Limestone), Moore and Brewer:

H. 191. Regulating further the office of circuit solicitor of the eighth judicial circuit of Alabama; amending Section 2 of Act No. 312, S. 215, Regular Session 1955 (Acts 1955, p. 710), relating to the solicitor's fund.

Also:

By Mr. Brown (Tuscaloosa):

H. 194. To apply only in counties of the state having populations of not less than 100,000 nor more than 115,000; to further regulate the taking of fish from public streams and impounded waters.

Also:

By Messrs. Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

Also:

By Messrs. Callahan and Brown (Tuscaloosa):

H. 196. Relating to counties having a population of not less than 100,000 and not more than 115,000 inhabitants according to the latest or any succeeding Federal decennial census and providing for and further regulating the operation of child care in institutions in such counties.

Also:

By Messrs. Vacca, Rast, Brown (Jefferson), Collins, Perry, Bowers, Gilmore, Sessions, Locke, Bethea (B), Hawkins and Bailes:

H. 178. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved

by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 23, 25, 72, 139, 18, 29, 30, 35, 163, 164, 165, 166, 167, 171, 184, 190, 191, 194, 195, 196 and 178. To the Committee on Local Legislation.

(The above-numbered Bills, H. B.'s 139 and 178, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hain and Blanton:

H. J. R. 36. WHEREAS, Dr. Samuel Beekman Alison, a prominent physician and resident of Carlowville, Dallas County, Alabama, passed away July 13, 1963, aged 95 years; and

WHEREAS, Dr. Alison had a long and distinguished career as a physician, having practiced medicine for more than 60 of his 95 years; and

WHEREAS, Dr. Alison was a graduate of Louisville Medical College, a lifelong member of St. Paul's Episcopal Church of Carlowville, a trustee of Carlowville High School, Street Manual Training School, and a much beloved citizen of Dallas County; and

WHEREAS, the members of the Legislature wish to honor the memory of this outstanding public-spirited citizen; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members mourn the passing of Dr. Samuel Beekman Alison, and extend their heartfelt sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED that copies of this resolution be sent by the Clerk of the House to the family of Dr. Alison.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Rules were suspended and the Resolution, H. J. R. 36, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 86. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Givhan	Lowe	Roberts
Allen	Hammond	Mathews	Robison (Montgomery)
Bentley	Hawkins	Metcalf	Robison (Pickens)
Brannan	Hornsby	Montgomery	Shelton
Clark	Horton	Nichols	Smith
Cooper	James	Oden	Taylor
Dumas	Lolley	Reynolds	Wilson
Gilchrist			—28

Nays:

—0

The Bill:

S. 77. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Metcalf	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Reynolds	Wilson
Eddins	Lolley		—29

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Glass:

H. 222. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Also:

By Mr. Cornett:

H. 224. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Also:

By Mr. Carr:

H. 226. To provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

Also:

By Mr. Cates:

H. 227. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Also:

By Mr. Cates:

H. 228. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Also:

By Mr. Cates:

H. 229. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Also:

By Mr. Drake:

H. 234. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Also:

By Mr. Drake:

H. 235. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Also:

By Mr. Casey:

H. 238. To apply in all counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for branch banking in such counties.

Also:

By Mr. Heflin:

H. 240. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of the coroner in such counties, providing for a salary payable by the county in lieu of fees and allowances.

Also:

By Mr. Heflin:

H. 241. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of jurors.

Also:

By Mr. Heflin:

H. 242. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Also:

By Mr. Heflin:

H. 243. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Also:

By Messrs. Merrill, Albea and Burnham:

H. 245. Relating to counties having populations of not less than 76,000 nor more than 96,000; providing for the appointment of deputies sheriff; and fixing their salaries.

Also:

By Messrs. Merrill, Albea and Burnham:

H. 246. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 76,000 nor more than 96,000.

Also:

By Messrs. Merrill, Albea and Burnham:

H. 247. To regulate the compensation and allowances of certain county officers of all counties having populations of not less than 76,000 nor more than 96,000.

Also:

By Messrs. Engel and Hogan:

H. 187. Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and

to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 222, 224, 226, 227, 228, 229, 234, 235, 238, 240, 241, 242, 243, 245, 246, 247 and 187. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cates:

H. 156. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

Also:

By Messrs. Engel, Hogan, McDermott and Jones (Covington):

H. 136. To amend Sections 1, 2, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to authorize such boards to finance, as projects thereunder, research enterprises; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent

issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Also:

By Messrs. Salter and Cates:

H. 168. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Also:

By Messrs. Salter and Cates:

H. 170. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Also:

By Messrs. Bailes, Perry, Rogers, Etheredge, Collins, Sullivan, Dominick, Rast, Meeks, Bowers, Vacca and Sessions:

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

Also:

By Messrs. Perry, Locke and Rast:

H. 181. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 156. To the Committee on Public Health.

H. B. 136. To the Committee on Municipalities and Municipal Organizations.

H. B.'s 168, 170 and 181. To the Committee on Finance and Taxation.

H. B. 81. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Jones (Covington):

H. 198. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Covington County.

Also:

By Messrs. Burns, Nabors and Owens:

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

Also:

By Messrs. Burns, Nabors and Owens:

H. 205. To regulate further the compensation and allowance of the sheriff of counties having a population of not less than 96,000 nor more than 106,000.

Also:

By Messrs. Burns, Nabors and Owens:

H. 207. To amend Act No. 190, H. 389, Regular Session 1961 (Acts 1961, p. 230), an act which regulates the compensation of members and clerks of jury commissions in counties having populations of not less than 96,000 nor more than 106,000.

Also:

By Messrs. Burns, Nabors and Owens:

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

Also:

By Messrs. Burns, Nabors and Owens:

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

Also:

By Mr. Cooper:

H. 211. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Mr. Paulk:

H. 213. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Messrs. Callahan and Brown (Tuscaloosa):

H. 214. Relating to counties having a population of not less than 100,000 nor more than 115,000 according to the latest or any succeeding Federal census and amending Title 49, Section 64 of the Code of Alabama of 1940 as the same applies to such counties.

Also:

By Mr. Mashburn:

H. 221. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 198, 203, 205, 207, 208, 209, 211, 213, 214 and 221. To the Committee on Local Legislation.

(The above-numbered Bill, H. B. 198, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Pierce, Goodwyn, Goldthwaite and Little:

H. J. R. 38. WHEREAS the Robert E. Lee High School Band has thrilled its spectators and audiences with its spirit, its originality of ideas, and its superb performances both in music and in precision marching each year during the comparatively few years during which the school has been in existence; and

WHEREAS under the inspiring direction of Mr. Johnny Long the Lee band has won many awards, the most recent of which was the rating of "superior" in the State Band Contest. In 1958 the band set an all time record by winning twenty-three All-State Medals in a single year. For five consecutive years they led the state in the number of medals earned, and are the only band in Class AA to have received six consecutive superior ratings from 1957-1962 in the State Band Contest. For the past seven years their musicians have appeared in the First Chair of America, a most coveted position in band contests. They have participated in half-time performances at many football games throughout the State including the Blue-Gray games, the All-Star games at the University of Alabama and at numerous college games. National contests entered include ones in Chicago, Miami Beach, Detroit, and Wind-

sor, Ontario. The band has always placed in the top four bands in every contest entered and won first prize in the National V.F.W. Military parade in Miami Beach in 1961. Numbers of Lee graduates have gone on to make places for themselves in collegiate bands, many of whom hold first chair positions, and some have won scholarships; and

WHEREAS this outstanding record is the result not only of natural aptitude coordinated under skilled leadership, but is also the result of many long hours of persistent practice and determined effort on the part of both the director and individual band members; and

WHEREAS the Robert E. Lee Band will again enter National competition at the Veterans of Foreign Wars national convention in Cleveland, Ohio on August 25 and will also give a performance at the New York World's Fair on August 27; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to commend the Robert E. Lee High School Band and their director, Mr. Johnny Long, on the excellence of their past performances, and wish for them every success in their participation, representing Alabama, in national competition in Cleveland and in their performance in New York City.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison (Montgomery), the Rules were suspended and the Resolution, H. J. R. 38, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 133. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hawkins	Metcalf	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Wilson
Eddins	Lolley		

—29

Nays:

—0

The Bill:

S. 58. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Hornsby	Nichols	Tyson
Dumas	James	Oden	Wilson
Eddins	Lolley		

—29

Nays:

—0

The Bill:

S. 59. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Shelton
Clark	Hawkins	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson
Eddins	Lolley		

—29

Nays:

—0

The Bill:

S. 72. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Roberts
Allen	Gilchrist	Lowe	Robison (Montgomery)
Bentley	Givhan	Mathews	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Clark	Hawkins	Metcalf	Smith
Cooper	Hornsby	Montgomery	Taylor
Dumas	Horton	Nichols	Tyson
Eddins	James	Oden	Wilson

—31

Nays:

—0

The Bill:

S. 119. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Evans	James	Robison (Montgomery)
Allen	Gilchrist	Lowe	Robison (Pickens)
Bentley	Givhan	Mathews	Shelton
Brannan	Hammond	Metcalf	Smith
Clark	Hawkins	Montgomery	Taylor
Cooper	Hornsby	Nichols	Tyson
Dumas	Horton	Roberts	Wilson
Eddins			

—28

Nays:

—0

The Bill:

S. 78. To make an appropriation to the use of the White House Association.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Clark	Evans	Hawkins
Allen	Cooper	Gilchrist	Hornsby
Bentley	Dumas	Givhan	Horton
Brannan	Eddins	Hammond	James

Lolley	Nichols	Robison (Pickens)	Taylor	
Mathews	Oden	Shelton	Tyson	
Metcalf	Roberts	Smith	Wilson	
Montgomery	Robison (Montgomery)			—29

Nays: —0

The Bill:

S. 92. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Roberts	
Allen	Gilchrist	Lowe	Robison (Montgomery)	
Bentley	Givhan	Mathews	Robison (Pickens)	
Brannan	Hammond	Metcalf	Shelton	
Clark	Hawkins	Montgomery	Smith	
Cooper	Hornsby	Nichols	Taylor	
Dumas	Horton	Oden	Tyson	
Eddins	James	Reynolds	Wilson	—31

Nays: —0

The Bill:

S. 113. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Givhan	McDow	Robison (Montgomery)	
Allen	Hammond	Metcalf	Robison (Pickens)	
Brannan	Hawkins	Montgomery	Shelton	
Clark	Hornsby	Nichols	Smith	
Cooper	Horton	Oden	Taylor	
Eddins	James	Reynolds	Tyson	
Evans	Lolley	Roberts	Wilson	—29
Gilchrist	Lowe			

Nays: —0

The Bill:

S. 68. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Reynolds	Tyson
Eddins			—28

Nays:

—0

RESOLUTIONS

Mr. Robison (Montgomery) offered the following Senate Joint Resolution, to-wit:

S. J. R. 11. WHEREAS, Sidney Lanier High School has consistently turned out superior drill teams, which have won recognition in both State and National Drill Team Competitions, having placed first in many State Drill Team meetings, second in four National competitions, and first in the V.F.W.'s Junior Rifle Drill National Competition at Seattle, Washington, in 1963; and

WHEREAS, this remarkable record has been exceeded this year when the Lanier Drill Team again won honors, winning first place in the Alabama Drill Team Meeting, sponsored by the Montgomery Jaycees, the Montgomery Chamber of Commerce, and the State V.F.W., jointly, at Garrett Coliseum on April 11; and

WHEREAS, the Lanier Drill Team will represent Alabama again this year in the V.F.W. National Drill Championships in Cleveland, Ohio, on August 25, and will be competing to retain their championship; and

WHEREAS, the Lanier Color Guard will also compete for the National V.F.W. Color Guard Championship in Cleveland, Ohio, on August 24, an event in which more than twenty-five other color guards are participating; and

WHEREAS, the Lanier Drill Team has been further honored this year by accepting an invitation from the New York State V.F.W. to perform in the New York State Pavilion and at the United States Pavilion at the World's Fair on August 21; and

WHEREAS, these awards have been achieved through consistent devotion to this activity and through countless and tiring practice sessions by the team membership aided through the determined efforts of Army Major Wade Hampton, Professor of Military Science at Lanier, and Staff Sergeant Kenneth E. Parsons, the Drill Team's coach; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature commends the members of the Sidney Lanier High School Drill Team and Color Guard for their accomplishments in achieving the precision and perfection which has characterized their marches and close formation drills. The Legislature especially commends Cadet Colonel Lee Suydam and Cadet Sergeant First Class Robin Rogers, the team commander, Major Hamp-

ton, and Staff Sergeant Parsons for the Lanier Team's past performances, and extends best wishes to the team in their performances at the World's Fair and in the V. F. W. competition. The entire State of Alabama hopes that they may achieve victory in Cleveland and once again win the National Championship for Alabama.

BE IT FURTHER RESOLVED That the Legislature further commends the V. F. W. for sponsoring these National Competitions which provide opportunities to Alabama youths for educational trips and wholesome recreation.

On motion of Mr. Robison (Montgomery), the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 108. Relating to judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; providing for a supplementary salary to be paid out of the county treasury to the judges of such circuits.

Also:

H. 160. To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Also:

H. 109. To apply only in counties having populations of not less than 110,000 nor more than 160,000; fixing and providing for the payment of the compensation of members and chairman of the county governing body.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 114. To provide for congressional districts and for the election of congressmen by districts, amending Code 1940, Title 17, Sections 425 and 426.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 6. Mourning the death of Robert Horton Rutland, Director of Technical Staff, State Building Commission.

Also:

S. J. R. 7. Congratulating Miss Linda Vaughn on being selected "Miss Sun-Fun U.S.A. 1964".

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 26. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brown (Jefferson), Etheredge, Vacca, Locke, Morrow, Rast and Bailes:

H. 92. TO PROVIDE THAT ANY CITY OR TOWN IN THE STATE HAVING A COMMISSION FORM OF GOVERNMENT MAY COME WITHIN AND BE GOVERNED BY THE PROVISIONS OF THIS ACT UPON THE ADOPTION AND PUBLICATION OF AN ORDINANCE BY THE GOVERNING BODY THEREOF ELECTING SO TO DO; TO PROVIDE THAT THE MEMBERS OF THE GOVERNING BODY SERVING AT THE TIME OF THE ADOPTION OF SUCH ORDINANCE SHALL CONTINUE TO SERVE UNTIL THE QUALIFICATION OF THEIR SUCCESSORS; TO PROVIDE THAT ALL LAWS, ORDINANCES, RESOLUTIONS, AND APPOINTMENTS IN FORCE WHEN THE MUNICIPALITY COMES UNDER THIS ACT SHALL REMAIN IN FORCE UNTIL REPEALED OR ALTERED; TO PROVIDE FOR THE ELECTION AND TERM OF OFFICE OF COMMISSIONERS; TO ESTABLISH THE QUALIFICATIONS OF CANDIDATES FOR COMMISSIONERS POSITIONS; TO PROVIDE FOR THE DISTRIBUTION OF THE POWERS OF THE MUNICIPALITY AMONG THE COMMISSIONERS; TO PROVIDE FOR MEETINGS OF THE BOARD OF COMMISSIONERS AND THE MANNER OF ADOPTING ORDINANCES AND RESOLUTIONS; TO PROVIDE THAT NO FRANCHISE, LEASE OR RIGHT SHALL BECOME EFFECTIVE UNTIL THIRTY DAYS AFTER THE GRANTING THEREOF; TO PROVIDE FOR THE ELECTION OF A RECORDER; TO REQUIRE THE POSTING OF A BOND BY COMMISSIONERS; TO PROHIBIT COMMISSIONERS FROM HOLDING OTHER PUBLIC OFFICES; TO PROHIBIT ANY COMMISSIONER, OFFICER OR EMPLOYEE OF THE MUNICIPALITY FROM HAVING ANY INTEREST IN ANY CONTRACT WITH THE MUNICIPALITY; TO BAR PERSONS RELATED TO ANY COMMISSIONER FROM HOLDING PUBLIC OFFICE; TO PROVIDE PUNISHMENT FOR VIOLATION OF SUCH PROHIBITIONS; TO REQUIRE THE PUBLICATION OF FINANCIAL REPORTS OF THE MUNICIPALITY; TO PROVIDE FOR THE FILLING OF ANY VACANCIES THAT MAY OCCUR IN THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE SALARIES OF COMMISSIONERS AND OTHER DISBURSEMENTS OF THE MUNICIPALITY; TO PROVIDE THAT MEETINGS OF THE BOARD OF COMMISSIONERS SHALL BE OPEN TO THE PUBLIC; TO PROVIDE A MANNER FOR CHANGING THE FORM OF GOVERNMENT OF THE MUNICIPALITY; TO PROVIDE FOR THE PRESENTATION OF A PETITION CALLING FOR THE RESIGNATION OF A COMMISSIONER, AND TO ESTABLISH REQUIREMENTS FOR THE SIGNING THEREOF; TO PROVIDE A FEE FOR THE JUDGE OF PROBATE FOR EXAMINING SUCH PETITION; TO PROVIDE A PENALTY FOR VIOLATION OF THE RESTRICTIONS ON SIGNING SUCH A PETITION; TO PROVIDE FOR AN ELECTION TO RECALL A COMMISSIONER AND FOR THE ELECTION OF HIS SUCCESSOR; AND TO STATE THE METHOD FOR ASCERTAINING QUALIFIED VOTERS IN MUNICIPALITIES SITUATED IN MORE THAN ONE COUNTY.

Also:

By Messrs. Brown (Jefferson), Vacca, Morrow and Bailes:

H. 91. To amend Sections 773 and 778 of Title 37, Code of Alabama, relating to the publication of zoning ordinances; providing that any zoning ordinance heretofore published in accordance with the provisions of this Act shall be deemed to have been lawfully published.

Also:

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 106. To amend the title to and Sections 1 and 2 of Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama so

as to include the acquisition, enlargement, improvement and expansion of research projects.

Also:

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 107. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 92 and 91. To the Committee on Municipalities and Municipal Organizations.

H.B.'s 106 and 107. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pierce, Goldthwaite and Little:

H. 230. Providing for appointment of members of county boards of equalization in counties having populations of not less than 150,000 nor more than 300,000; amending further Code of Alabama Title 51, Section 89.

Also:

By Messrs. Pierce, Goldthwaite and Little:

H. 231. Providing for the appointment, tenure, compensation, powers and duties of license inspectors in counties having populations of not less than 150,000 nor more than 300,000.

Also:

By Messrs. Pierce, Goldthwaite and Little:

H. 232. Relating to the appointment, tenure, and compensation of registrars in counties having populations of not less than 150,000 nor more than 300,000.

By Messrs. Rast, Perry, Morrow, Locke, Brown (Jefferson), Meeks, Bowers, Gilmore, Vacca, Sessions, Etheredge, Bailes and Collins:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assessment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such

compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H.B.'s 230, 231, 232 and 261. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Engel, McDermott, Hogan, Rogers, Fields, Edington and Downing:

H. 252. Relating to counties having populations of not less than 300,000 nor more than 500,000; to authorize the county governing body of any such county to make available to the sheriff an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

Also:

By Messrs. Goodwyn, Pierce, Goldthwaite, and Little:

H. 199. To provide that housing authorities incorporated under the statutes contained in the Code of Alabama 1940 in counties of not less than 150,000 inhabitants and not more than 300,000 inhabitants according to the last United States Census; where the employees of said housing authorities are subject to the provisions of a merit system; that said housing authorities in said counties acting by resolution of their Board of Commissioners are authorized to enter into a contract for the services of a director and assistant director and fix the compensation of same; said director and assistant director shall act as liaison personnel between the cities, the Regional Director and shall negotiate with citizens affected by the overall plan of Urban Redevelopment and such other duties as may be provided in said contract, in order to expedite and implement Title I of the Federal Housing Act of 1949, as amended. Said contract shall be approved by the Regional Director.

Also:

By Mr. Moore:

H. 251. Relating to counties having populations of not less than 22,550 nor more than 24,550, authorizing an appropriation from county funds for certain purposes.

Also:

By Mr. Bassett:

H. 254. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in con-

flict herewith; and prescribing the time when this Act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the next regular or special session of the Legislature of Alabama for the passage and enactment of a bill substantially as follows, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Troy, in the County of Pike, and State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, namely:

The Southwest quarter, the west half of the Southeast quarter, and the Southeast quarter of the Southeast quarter of Section 19, the Southeast quarter the north half of the Southwest quarter, and the Southeast quarter of the Southwest quarter of Section 21; the Southwest quarter of Section 22; the east half and the east half of the west half of Section 28; the west half of Section 27; the west half of the west half of Section 31; the north half of the northeast quarter and the Northeast quarter of the Northwest quarter of Section 33; the Northwest quarter of Section 34; Township 10 North; Section 6; the west half and the Southwest quarter of the Northeast quarter of Section 3; the north half of Section 7; the north half of Section 8, the north half of Section 9; and the northwest quarter of Section 10; Township 9 North, all in Range 21 East, Pike County, Alabama.

Section 2. That all farm lands annexed by this Act, the improvements thereon and the appurtenances thereunto appertaining, shall be exempt from all ad valorem taxation by the City of Troy during the time such property is used for farming purposes.

Section 3. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 4. That this Act shall become effective upon its passage and approval by the Governor.

STATE OF ALABAMA, PIKE COUNTY

Before me, Louise Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Bus. Mgr. of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice Passage and enact-

ment of bill—City of Troy was published in said newspaper 4 times, the same appearing in the issues dated: Sept. 12, 19, 26 and October 3, 1963.

M. F. BOISCLAIR,
Bus. Mgr.

Sworn to and subscribed before me this the 12 day of August, 1964.

LOUISE M. EMERSON,
Notary Public, Pike County, Ala.

Also:

By Mr. Cates:

H. 255. Relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff.

Also:

By Messrs. Burnham, Merrill and Albea:

H. 263. Relating to counties having a population of not less than 76,000 nor more than 96,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H.B.'s 252, 199, 251, 254, 255, and 263. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 5. Relating to the Municipality of Decatur, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the City of Decatur, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 8. To regulate the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000.

Also:

S. 9. Relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of a clerk for the board of registrars whose compensation shall be paid by the county.

Also:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Also:

S. 15. Relating to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Also:

S. 61. To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

Also:

S. 64. To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

Also:

S. 65. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body of all counties having populations of not less than 24,525 nor more than 24,675.

Also:

S. 66. For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

Also:

S. 69. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the compensation of jurors.

Also:

S. 70. Relating to counties having populations of not less than 25,400 nor more than 25,600; regulating the pay of election officers.

Also:

S. 89. Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

Also:

S. 90. Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

Also:

S. 91. Relating to Greene County; providing for the relief of P. T. Martin.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 6:26 P.M., on motion of Mr. Shelton, the Senate adjourned until Wednesday, August 19, 1964, at 10 o'clock A.M.

Yeas 18; Nays 12.

Yeas:

Messrs.:	Evans	Lolley	Oden	
Allen	Gilchrist	Lowe	Shelton	
Bentley	Hammond	Mathews	Taylor	
Clark	Hawkins	Montgomery	Wilson	
Cooper	Horton	Nichols		—18

Nays:

Messrs.:	Hornsby	Metcalf	Robison (Montgomery)	
Brannan	James	Reynolds	Robison (Pickens)	
Dumas	McDow	Roberts	Smith	
Eddins				—12

NINTH LEGISLATIVE DAY

WEDNESDAY, AUGUST 19, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Carter	Dumas	Gilchrist
Bentley	Clark	Eddins	Givhan
Brannan	Cooper	Evans	Hawkins

Hornsby	McCain	Oden	Shelton
James	McDow	Reynolds	Smith
Lolley	Metcalf	Roberts	Taylor
Lowe	Montgomery	Robison (Montgomery)	Tyson
Mathews	Nichols	Robison (Pickens)	Wilson

—31

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Eighth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. McDow, leaves of absence were granted Messrs. Adams, Allen, Hammond and Horton for today.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bailes et al:

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

By Messrs. Allen, Montgomery, Metcalf, Reynolds, Hawkins, Tyson, Evans, Hammond, Taylor, Lowe, Lolley, James, Mathews and Smith:

S. 155. To revise and amend Section 100 of Title 15, 1940 Code of Alabama (as amended), relating to the issuing of search warrants.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dumas:

S. 150. An Act to revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963, (Ala. Acts, 1963, page 963, et seq.)

By Mr. Tyson (with notice and proof):

S. 152. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

By Mr. Cooper:

S. 153. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

By Mr. Cooper:

S. 154. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Mr. Cooper, Vice-Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Brown (Jefferson) et al:

H. 92. To provide that any city or town in the State having a commission form of government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for commissioners positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the Board of Commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by commissioners; to prohibit commissioners from holding other public offices; to prohibit any commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the board; to provide for the salaries of commissioners and other disbursements of the municipality; to provide that meetings of the Board of Commissioners shall be open to the public; to provide a manner for changing the form of government of

the municipality; to provide for the presentation of a petition calling for the resignation of a commissioner, and to establish requirements for the signing thereof; to provide a fee for the Judge of Probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a commissioner and for the election of his successor; and to state the method for ascertaining qualified voters in municipalities situated in more than one county.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite et al:

H. 113. To amend Act No. 92 adopted at the Second Special Session of 1963 of the Legislature of Alabama to provide for the collection and distribution of the proceeds of the tax levied by the said act.

By Messrs. Cook and Bassett:

H. 17. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cantrell (with notice and proof):

H. 18. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

By Mr. Powell:

H. 25. To apply only in counties having populations of not less than 28,000 nor more than 30,575, authorizing such counties to make certain temporary loans.

By Mr. Hester:

H. 35. Relating to counties having a population of not less than 21,988 nor more than 22,000; and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such a salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

By Mr. Rast et al:

H. 72. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

By Mr. Engel et al:

H. 139. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Amendment CXCV to the Constitution of Alabama providing for the levy and

collection by Mobile County of a special tax, not exceeding six mills on each dollar of taxable property in the County, for public hospital purposes.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Posey:

H. 163. To apply in counties having populations of not less than 14,400 nor more than 14,900, providing expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body.

By Mr. Goodwyn:

H. 188. To provide with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 130,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit, but shall be payable from the benefits secured for, or on behalf of the persons for whose benefit any such suit was successfully prosecuted; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

By Mr. Brown (Tuscaloosa):

H. 194. To apply only in counties of the state having populations of not less than 100,000 nor more than 115,000; to further regulate the taking of fish from public streams and impounded waters.

By Messrs. Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

By Messrs. Callahan and Brown (Tuscaloosa):

H. 196. Relating to counties having a population of not less than 100,000 and not more than 115,000 inhabitants according to the latest or any succeeding Federal decennial census and providing for and further regulating the operation of child care in institutions in such counties.

By Mr. Goodwyn et al:

H. 199. To provide that housing authorities incorporated under the statutes contained in the Code of Alabama 1940 in counties of not less than 150,000 inhabitants and not more than 300,000 inhabitants according to the last United States Census; where the employees of said housing authorities are subject to the provisions of a merit system; that said housing authorities in said counties acting by resolution of their Board of Commissioners are authorized to enter into a contract for the services of a director and assistant director and fix the compensation of same; said director and assistant director shall act as liaison personnel between the cities, the Regional Director and shall negotiate with citizens affected by the overall plan of Urban Redevelopment and such other duties as may be provided in said contract, in order to expedite and implement Title I of the Federal Housing Act of 1949, as amended. Said contract shall be approved by the Regional Director.

By Mr. Cooper:

H. 211. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Mr. Dumas, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 106. To amend the title to and Sections 1 and 2 of Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 107. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hain and Blanton:

H. 23. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

By Mr. Posey:

H. 164. Relating to counties having populations of not less than 14,400 nor more than 14,900; fixing the compensation of the coroner.

By Mr. Posey:

H. 165. To apply in counties having populations of not less than 14,500 nor more than 14,900: regulating the compensation of the county superintendent of education.

By Mr. Posey:

H. 167. Relating to counties having populations of not less than 14,400 nor more than 14,900, according to the last or any subsequent federal decennial census; providing further for the supervision, administration and control of the public schools; providing for the election and compensation of members of the board of education; and prescribing the duties of members of the board of education.

By Mr. Posey:

H. 166. To apply in counties having populations of not less than 14,500 nor more than 14,900: To provide for filling vacancies in county offices.

RESOLUTIONS

Mr. Tyson offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. WHEREAS the South Brookley Little League team participating in the twenty-three team area tournament held at Bay Minette, defeated South Baldwin 15-0, Fairhope 21-0, and Atmore 4-1. In the win over South Baldwin, Joel Harp pitched a perfect no hit, no run game, allowing only one hit ball in fair territory; and

WHEREAS in district 5 play at Duval Park, with four participating teams, South Brookley defeated the American League All Stars 1-0, and the National League All Stars 4-3; and

WHEREAS in the state tournament, sectional play at Trussville, with five teams entered in the state championship, South Brookley defeated Gadsden Southern 4-3, and Florence 6-0 to become state champions; and

WHEREAS in the divisional tournament consisting of the state champion teams of Alabama, Arkansas, Louisiana, and Mississippi, the Mobile entry successfully upheld their winning record by defeating the Biloxi, Mississippi All Stars 8-1, as Joel Harp won his fourth consecutive victory and second no-hitter in tournament play. The tournament championship game which was played against Springdale, Arkansas was won by Larry Reynolds 5-4 as he also notched his fourth consecutive victory; and

WHEREAS the South Brookley Little League team will compete at Norfolk, Virginia in a two game series in the southeast regional tournament, after which they will enter national championship competition at Williamsport, Pennsylvania; and

WHEREAS this outstanding team record is the result of the combined efforts of individual members Butch Arzonico, Buddy Bullock, Freddy Clausen, Ricky Collier, Tim Deese, David Gable, Joel Harp, George Hataway, Jerry Jones, Larry May, Mike McCarthy, Max McGill, Barry Nix, Larry Reynolds, Jimmy Sheffield, Ray Tarver, Joe Touart, and of their manager, Bill Giessleman, Coach Charlie Weaver, and South Brookley Little League president, Raymond Wilson; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body extends its heartiest congratulations to the South Brookley Little League on its excellent record and wishes for it every success in representing Alabama, and bringing back to this state the National Little League Championship.

On motion of Mr. Tyson, the Rules were suspended and the Resolution was adopted by the Senate.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Eddins, further consideration of the Bill, S. B. 67, was indefinitely postponed by the Senate.

On motion of Mr. Tyson, further consideration of the Bill, S. B. 4, was indefinitely postponed by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 5. Relating to the Municipality of Decatur, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the City of Decatur, Alabama.

Also:

S. 8. To regulate the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000.

Also:

S. 9. Relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of a clerk for the board of registrars whose compensation shall be paid by the county.

Also:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Also:

S. 15. Relating to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Also:

S. 26. To provide an additional method of annexing territory to all municipalities in counties of the state having a population of 600,000 or more inhabitants according to the last or any subsequent Federal census.

Also:

S. 61. To amend Section 3 of Act No. 27, H. 213, Regular Session 1951, an act establishing the inferior court of Butler County (Acts 1951, v. 1, p. 235).

Also:

S. 64. To repeal Act No. 325, H. 873, Regular Session 1957, an act relating to Butler County (Acts 1957, v. 1, p. 429).

Also:

S. 65. To amend Act No. 171, H. 223, Special Session 1961, in relation to expense allowances for members of the county governing body of all counties having populations of not less than 24,525 nor more than 24,675.

Also:

S. 66. For the relief of Joseph H. Till, Jr., and to authorize and direct The Court of County Commissioners of Butler County, Alabama to pay to the said Joseph H. Till, Jr., the sum of Five Hundred Dollars (\$500.00) for fire damage to timber on land owned by Joseph H. Till, Jr.

Also:

S. 69. Relating to counties having populations of not less than 25,-400 nor more than 25,600; regulating the compensation of jurors.

Also:

S. 70. Relating to counties having populations of not less than 25,-400 nor more than 25,600; regulating the pay of election officers.

Also:

S. 89. Relating to the compensation of registrars of Greene County; providing for payment of an additional per diem by the county.

Also:

S. 90. Relating to Greene County; authorizing and empowering the Court of County Commissioners of Greene County, or other like governing body of the county, to authorize the Sheriff of Greene County to appoint one deputy sheriff in addition to the number of deputys sheriff now authorized by law; empowering the governing body of the county to fix the compensation of such additional deputy within specified limits, and providing for the payment thereof.

Also:

S. 91. Relating to Greene County; providing for the relief of P. T. Martin.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Camp and Brown (Tuscaloosa):

H. 193. To make an appropriation to the State Board of Chiropractic Examiners for the fiscal year ending September 30, 1965.

Also:

By Messrs. Merrill, Albea and Burnham:

H. 248. Relating to the Seventh Judicial Circuit of Alabama; fixing the salaries of the official court reporters of such circuits and providing for the payment thereof.

Also:

By Mr. Moore:

H. 237. To further amend Section 26 of Title 46, of the Code of Alabama of 1940.

Also:

By Messrs. Goodwyn, Rast, Nabors, Brewer, Callahan, Perry, Campbell (Tuscaloosa), Hogan, McDermott, Downing, Rogers, Hawkins, Ethredge, Morrow, Brown (Jefferson), Dominick, Bethea (M), and Brown (Tuscaloosa):

H. 142. To authorize and require the expenditure of funds in the Public Welfare Trust Fund, created by Title 49, Section 17, Sub-section 27 of the Code of Alabama of 1940, to provide Juvenile Court probationary services in all those counties in which Juvenile Court probationary service is not furnished by the State Department of Pensions and Security and to authorize the matching of funds with local counties employing Juvenile Court Probation Officers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 193. To the Committee on Public Health.

H. B.'s 248 and 237. To the Committee on Judiciary.

H. B. 142. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Burnham, Merrill and Albea:

H. 262. To provide for a Chief Bailiff of the Circuit Court of any County having a population of not less than 76,000 nor more than 96,000, and to further provide for the appointment, tenure of office, and compensation of such Chief Bailiff.

Also:

By Messrs. Avery, Davis, Cates, Barnett, Bevill, Scurlock, Branyon and Blanton:

H. 36. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Also:

By Messrs. Camp, Brown (Tuscaloosa), Boston and Callahan:

H. 159. To amend Section 19 of Act No. 108, H. 152, Regular Session 1959, an act relating to the practice of chiropractic (Acts 1959, v. 1, p. 612).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 262. To the Committee on Local Legislation.

H. B. 36. To the Committee on Agriculture.

H. B. 159. To the Committee on Public Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Albea, Burnham and Casey:

H. 244. Relating to the Seventh Judicial Circuit and the Sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

By Messrs. Brown (Jefferson), Gilmore, Rast, Bailes, Meeks, Bethea (M), Vacca, Bowers, Etheredge and Dominick:

H. 220. TO ALTER, REARRANGE, AND EXTEND THE BOUNDARIES OF THE CITY OF BESSEMER IN JEFFERSON COUNTY, PROVIDING FOR A REFERENDUM ELECTION TO DETERMINE WHETHER THE ACT WILL BECOME EFFECTIVE.

With notice and proof thereto attached and herewith exhibited as follows:

**LEGAL NOTICE OF THE INTENTION TO APPLY FOR
THE PASSAGE OF
AN ACT**

Notice is hereby given of the intention to apply to the Legislature of the State of Alabama at its next session, regular or special, for the passage of a law to alter, rearrange and extend the boundaries of the City of Bessemer to include, in addition to the territory presently in the limits of the City, territory located within the communities of Raimund, Hopewell, Hilltop, Greenwood, and Morgan, and also located within Sections 21, 22, 26, 27, 28, 33, 35, and 36, of Township 19 South, Range 4 West, and parts of Sections 1, 2, and 3 of Township 20 South, Range 4 West; to provide for the Judge of Probate calling an election determining whether or not the qualified voters residing in the territory to be annexed favor the annexation; to establish poll lists of qualified electors; to cause voting machines and ballots to be prepared and available for said election; to provide election officials to handle said election and certify the results to the Secretary of State and to the Governing Body of the City of Bessemer and other interested officials of Jefferson County; to provide for the publication setting the date of the election; to provide that said Act shall only become effective in the event a majority of the qualified voters entitled to vote and voting in said election vote for the annexation of the territory so annexed; and to provide further the date the annexed area becomes a part of the City of Bessemer.

AFFIDAVIT OF PUBLICATION

**STATE OF ALABAMA,
JEFFERSON COUNTY.**

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Oct 25-Nov 1-8-15 1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 3 day of Aug., 1964.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Goodwyn, Cook, Edwards (Escambia), Glass, Pierce, Downing, Hogan, Jones (Monroe), Sullivan, Cates, Hannah, Brewer, Moore, Hawkins, Little, Jones (Covington), Turner (Limestone), Camp, Holladay, Hain, Sessions, Grouby, Rogers, Daniel, Nettles, Bassett, Teel, Harper, Powell, Beville, Campbell (Jackson), Turnham and NeSmith:

H. 200. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Also:

By Messrs. Etheredge, Brown (Jefferson), and Rast:

H. 83. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Also:

By Messrs. Turner (Crenshaw), Branyon, Cantrell, Snell and Gilmore:

H. 236. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

Also:

By Messrs. Rogers, Fields, Smith, Engel, Hogan, Little, Posey and McDermott:

H. 133. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2(b), Act No. 100, Second Special Session 1959.

Also:

By Messrs. Downing, Pierce, Turner (Crenshaw), Rogers, Engel, Mashburn, Smith, McDermott, Edington and Goodwyn:

H. 132. To amend Code of Alabama 1940, Title 29, Section 1, in relation to definitions of terms used in the ABC Act.

Also:

By Messrs. Engel, Rogers, Hogan, McDermott, Edington and Fields:

H. 253. To apply in counties having populations of not less than 300,000 nor more than 500,000; providing for assistants and deputies of the sheriff, regulating and providing for payment of their compensation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 244 and 83. To the Committee on Finance and Taxation.

H. B.'s 220 and 253. To the Committee on Local Legislation.

H. B. 200. To the Committee on Public Welfare and Correctional Institutions.

H. B. 236. To the Committee on Municipalities and Municipal Organizations.

H. B. 133. To the Committee on Public Buildings and Grounds.

H. B. 132. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Etheredge, Collins, Bailes, Perry, Vacca, Bowers, Sessions, Locke, Brown (Jefferson), Gilmore, Dominick, Meeks, Morrow, Hawkins and Rast:

H. 219. To provide additional judges for the tenth judicial circuit of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 219. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Burns, Nabors and Owens:

H. 206. Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

By Mr. Goodwyn:

H. 201. To amend Section 20, Title 34, Code of Alabama 1940.

Also:

By Messrs. Locke, Meeks and Bailes:

H. 182. To provide for removal of prisoners from one municipal jail to another jail under certain specified conditions.

Also:

By Messrs. McDermott and Engel:

H. 185. To amend Title 61, Section 301 of the 1940 Code of Alabama, as amended, entitled, "Settlement by Consent Without Notice."

Also:

By Mr. Goodwyn:

H. 143. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Also:

By Messrs. Goodwyn, Little, Goldthwaite, Engel, Turnham, Thomas and Holladay:

H. 141. To amend Act. No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Also:

By Messrs. Edington, Rogers, Downing, Fields, Hogan, McDermott, Smith and Engel:

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

Also:

By Messrs. Collins, Bailes, Cates, Gilmore, Fite, Bowers, NeSmith, Rogers, Pierce, Turner (Crenshaw), Thomas, Cornett, Nabors, Owens, Hawkins, Perry, Rast and Bethea (B):

H. 89. To make it unlawful to contribute to the delinquency of children; prescribing penalties.

Also:

By Messrs. Collins, Bailes, Cates, Gilmore, Fite, NeSmith, Rogers, Pierce, Bowers, Turner (Crenshaw), Thomas, Cornett, Nabors, Owens, Hawkins, Perry, Rast and Bethea (B):

H. 88. To make it unlawful to entice children for immoral purposes or for the purpose of committing assault; and prescribing penalties for violations of the Act.

Also:

By Messrs. Collins, Bailes, Cates, Gilmore, Fite, NeSmith, Rogers, Bowers, Pierce, Turner (Crenshaw), Thomas, Cornett, Nabors, Owens, Hawkins, Bethea (B), Perry and Rast:

H. 86. Prescribing further penalties for certain assaults, and assaults and batteries.

Also:

By Messrs. Vacca, Gilmore, Bowers and Sessions:

H. 85. To provide further for the custody in prison of sex offenders, requiring their segregation, prescribing penalties.

Also:

By Messrs. Merrill and Cornett:

H. 9. To provide for time of trial or dismissal of charges pending against defendants or charges filed against defendants who are serving sentences in the penitentiary.

Also:

By Messrs. Merrill and Cornett:

H. 8. Relating to the administration of pardons and paroles, amending Title 42, Section 13, Code of Alabama 1940.

Also:

By Messrs. Merrill and Cornett:

H. 7. Relating to the administration of pardons and paroles, providing for the waiver of certain notice, further amending Title 42, Section 16, Code of Alabama 1940.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 206. To the Committee on Finance and Taxation.

H. B.'s 201, 185, 143, 89, 88, 86, 85, and 9. To the Committee on Judiciary.

H. B. 182. To the Committee on Municipalities and Municipal Organizations.

H. B. 141. To the Committee on Banking.

H. B. 134. To the Committee on Seaports.

H. B.'s 8 and 7. To the Committee on Public Welfare and Correctional Institutions.

BILLS ON THIRD READING

The Bill:

S. 55. Relating to state revenue; further prescribing deduction of certain charitable contributions or gifts in computing individual and corporate state income tax liability.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Gilchrist	McDow	Robison (Montgomery)
Bentley	Hornsby	Metcalf	Robison (Pickens)
Clark	James	Montgomery	Shelton
Cooper	Lolley	Nichols	Smith
Dumas	Lowe	Oden	Taylor
Eddins	Mathews	Reynolds	Tyson
Evans	McCain	Roberts	

—26

Nays:

—0

RECESS

At 11:30 A.M., on motion of Mr. Nichols, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION
NINTH LEGISLATIVE DAY
WEDNESDAY, AUGUST 19, 1964

The Senate re-assembled at 2 o'clock P.M., Lieutenant Governor Allen presiding.

ROLL CALL

Present:

Messrs.:	Gilchrist	Lowe	Reynolds
Bentley	Givhan	Mathews	Roberts
Brannan	Hammond	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Metcalf	Shelton
Cooper	Horton	Montgomery	Taylor
Dumas	James	Nichols	Tyson
Eddins	Lolley	Oden	Wilson
Evans			

—32

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lowe:

S. 156. Relating to counties having populations of not less than 18,800 nor more than 19,500; providing further for the compensation of members of the county governing bodies.

Committee on Local Legislation.

By Mr. Reynolds:

S. 157. To amend Section 89, Title 36, Code of Alabama 1940.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Brown (Jefferson) et al:

H. 91. To amend Sections 773 and 778 of Title 37, Code of Alabama, relating to the publication of zoning ordinances; providing that any zoning ordinance heretofore published in accordance with the provisions of this Act shall be deemed to have been lawfully published.

Mr. Shelton, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cates:

H. 156. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

BILLS ON THIRD READING

The Bill:

S. 141. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Brannan	Hawkins	Metcalf	Shelton
Carter	Hornsby	Montgomery	Taylor
Clark	James	Nichols	Tyson
Cooper	Lolley	Reynolds	Wilson
Evans			—24

Nays:

—0

The Bill:

S. 88. To amend further Code of Alabama 1940, Title 37, Section 440, in relation to the compensation of the mayor of any city having a population of not less than 28,000 nor more than 29,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Reynolds
Bentley	Hawkins	McDow	Robison (Pickens)
Carter	Hornsby	Metcalf	Shelton
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins			—24

Nays:

—0

MOTION TO RE-COMMIT

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, moved that the Bill:

H. 244. Relating to the Seventh Judicial Circuit and the Sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

be re-committed.

Mr. Gilchrist raised the Point of Order that the motion to re-commit was out of order, under the provisions of Rule 50.

The Point of Order raised by Mr. Gilchrist was sustained by the Chair. The Chair further stated that the Bill was not before the Senate at this time and could not be re-committed.

POINT OF ORDER

Mr. Evans, elected Chairman Pro Tem of the Rules Committee, in the absence of the Chairman and Vice-Chairman of said Committee, reported a Resolution by the Rules Committee relative to special orders for the day.

Mr. Evans stated that there were four members of the Rules Committee present at the meeting which elected him Chairman Pro Tem. Mr. Evans further stated that the Vice-Chairman of the Rules Committee on August 18 had called a meeting of the Rules Committee for August 19.

Mr. Gilchrist raised the Point of Order, under Rule 54½, that the report of Rules Committee by Mr. Evans as Chairman Pro Tem was out of order—that the Vice-Chairman of Rules Committee, in the absence of the Chairman, could call a meeting of the Rules Committee only on one day's written notice.

The President and Presiding Officer of the Senate sustained the Point of Order raised by Mr. Gilchrist—that only the Chairman of the Rules Committee could call a meeting of said Committee, the Vice-Chairman could call a meeting of said Committee only on instructions of the Chairman.

RESOLUTIONS

Mr. Robison (Montgomery) offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. WHEREAS, on Tuesday, August 4, 1964, the Legislature of Alabama met in Special Session pursuant to the call of the Governor of Alabama; and

WHEREAS, the call of the Governor calling the Legislature into extraordinary session was for the purpose of redistricting and that was the only announced purpose of the call, quoting from the call of the Governor, "I hereby designate the following subject and matter to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to amend Section 425, Title 17, 1940 Code of Alabama, to provide for the division of the State into eight congressional districts and to designate the counties comprising each such district.”;

and

WHEREAS, on Friday, August 15, 1964, the Senate of Alabama passed a redistricting bill by amending a prior passed House redistricting bill; and

WHEREAS, on Tuesday, August 18, 1964, the House concurred in the Senate amendment to the House redistricting bill; and

WHEREAS, the redistricting bill passed by both Houses of the Legislature has been delivered to the Governor for action; and

WHEREAS, the Governor of Alabama in his joint message to the Legislature on August 4, 1964, said, "I hope you will act expeditiously in this matter. The cost of this extra session will be defrayed from the general fund, which, as you know, supports various public services including assistance to the aged, the blind, the handicapped, public health programs and many others. Each of these programs might be adversely affected by an extended session."; and

WHEREAS, on August 6, 1964, only two days after the Legislature had been called into extraordinary session, the Governor of Alabama again appeared before a joint session of the Legislature and stated, "I called this Legislature into session for the purpose of redistricting the State of Alabama. That was the purpose and intent."; and

WHEREAS, in that same message His Excellency, the Governor of Alabama, again called the Legislature's attention to the cost of this extraordinary session saying, "We cannot afford to stay here for any length of time because it is taking \$50,000.00 a week away from the old age people of Alabama."; and

WHEREAS, the purpose and intent for which the Governor called this extraordinary session has been accomplished; and

WHEREAS, immediate adjournment of this session would result in a savings in excess of \$7,000.00 a day for the purposes the Governor pointed out to us; now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, they adjourn sine die.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 73. To apply in all counties having populations of not less than 30,550 nor more than 31,000, regulating the compensation of members of the county governing body.

Also:

S. 120. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 121. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 125. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Also:

S. 127. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Also:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Also:

S. 129. To apply in all counties having populations of not less than 51,000 nor more than 56,000, regulating the compensation of election officers.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent to the Senate without engrossment:

By Messrs. Goodwyn, Pierce and Little:

H. 202. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 202. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 11. Relative to Sidney Lanier High School Drill Team.

Also:

S. J. R. 10. Relative to Miss Vicki Powers of Mobile.

Also:

S. J. R. 12. Relative to the South Brookley Little League team.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent to the Senate without engrossment:

By Messrs. Goodwyn, Goldthwaite, Little and Pierce:

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

Also:

By Messrs. Goodwyn, Goldthwaite, Pierce and Little:

H. 260. To amend Act No. 250 of the regular session of the 1959 Legislature to provide for the administering of oaths and issuing of warrants.

Also:

By Mr. Carr:

H. 268. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

Also:

By Messrs. Engel, McDermott, Rogers and Edington:

H. 118. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 258, 268 and 118. To the Committee on Local Legislation.

H. B. 260. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 70. TO AMEND ACT NO. 556, OF THE LEGISLATURE OF ALABAMA OF 1959, APPROVED NOVEMBER 19, 1959, ACTS OF ALABAMA OF 1959, PAGE 1376 ET SEQ.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 76. TO PROVIDE THAT THE GOVERNING BODY OF ANY CITY IN THE STATE HAVING A POPULATION OF 300,000 INHABITANTS SHALL HAVE THE POWER AND AUTHORITY BY ORDINANCE TO GRANT MEMBERS OF SUCH GOVERNING BODY MONEY FOR EXPENSES NOT EXCEEDING \$11,000 PER YEAR FOR ANY FISCAL YEAR OF SUCH CITY.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 49. TO PROVIDE FOR AND FIX THE SUM OF THREE HUNDRED DOLLARS PER MONTH AS AN ALLOWANCE FOR EXPENSES FOR THE MAYOR OR OTHER CHIEF EXECUTIVE OFFICER OF ANY CITY HAVING A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS, FOR WHICH HE SHALL NOT BE REQUIRED TO FILE AN ACCOUNTING; AND TO PROVIDE THAT SUCH MAYOR OR CHIEF EXECUTIVE OFFICER SHALL ATTEND AS THE OFFICIAL REPRESENTATIVE OF THE CITY SUCH MEETINGS AND CONFERENCES IN SAID CITY TO WHICH HE IS INVITED AND WHICH WILL IN THE OPINION OF SUCH MAYOR OR CHIEF EXECUTIVE OFFICER RESULT IN THE ADVERTISEMENT OF SUCH CITY OR ANY FUNCTION OR UNDERTAKING OF SUCH CITY.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Callahan, Brown (Tuscaloosa) and Campbell (Tuscaloosa):

H. J. R. 39. WHEREAS, Robert E. Roberts of Tuscaloosa, Alabama has distinguished himself both as a student at the University of Alabama and as an outstanding youth leader in Tuscaloosa County; and

WHEREAS, while a student at Holt High School, young Roberts demonstrated his leadership ability by being elected President of the Student Body, President of the Holt High School Band for two years, and selected for membership in the National Honor Society, Beta Club and Hi-Y; and

WHEREAS, Mr. Roberts further distinguished himself by being selected as the Y's Men's Club Youth of the Year, Winner of the Jere Hardy award for outstanding statesmanship in the House at the 1960 Youth Legislature, Winner of the Elks Club State Youth Leader Award, and by his selection to the All State basketball team; and

WHEREAS, Mr. Roberts has so ably represented the State of Alabama and brought credit to the University of Alabama while traveling throughout the United States as a member of the University's nationally famous Debate Squad; and

WHEREAS, Mr. Roberts was a member of Alabama's Debate Team for four years while serving as Manager of Debate and winning forty awards in debate and was selected as the Number Two Debater in the nation at the West Point Tournament in 1963 and Number One Debater in the nation in 1964, and was elected National Student President of Delta Sigma Rho-Tau Kappa Alpha, national debate honor society; and

WHEREAS, This outstanding young man has brought credit to his State and to the University of Alabama by being selected to membership in Omicron Delta Kappa, national leadership honorary; Phi Alpha Theta, national history honorary; Pi Sigma Alpha, national political science honorary; Arnold Air Society, National Air Force R.O.T.C. honorary; and Jasons, Senior Men's Honor Society; and by this selection to Who's Who in American Colleges and Universities and by his selection as Winner of the Algernon Sidney Sullivan award, 1964, for outstanding contributions to the University of Alabama; and

WHEREAS, this young Alabamian has exemplified all that is good and courageous in young southern manhood by his accomplishments and endeavors in high school and at the University of Alabama; and

WHEREAS, young Roberts was graduated from the Capstone with "Honors" and was commissioned as a second lieutenant in the United States Air Force with a distinguished military graduate listing; and

WHEREAS, Mr. Roberts has been accepted as a student in the Law School of George Washington University in Washington, D.C. where he will be an instructor in speech and assist with the debate program.

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that this Legislature does congratulate young Robert Roberts upon his accomplishments and does commend him for so ably representing the State of Alabama and bringing national recognition to himself and the University of Alabama and does wish for him great success in his future life.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Robert Roberts and that a copy be sent to Holt High School and that a copy be sent to the Alabama Debate Squad.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McCain, the Rules were suspended and the Resolution, H. J. R. 39, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 34. Relating to counties having populations of not less than 15,500 nor more than 16,300, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 128. To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 128, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 128

In Section 1, strike out the figures \$12 and insert \$10

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Montgomery)
Carter	Hornsby	Montgomery	Shelton
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

And said Bill, as thus amended by the House amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Montgomery)
Carter	Hornsby	Montgomery	Shelton
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins			—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 87, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE TO S. B. 87

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as provide a county supplement to the salary paid by the State for the associate judge.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 120, S. 137, Regular Session 1943 (General Acts 1943, p. 121) the Act creating an additional judgeship for the Fourth Judicial Circuit of Alabama, is hereby amended to read as follows:

"Section 3. That the salary of said additional judge of said Fourth Judicial Circuit shall be the same as is paid to the other circuit judges by the State of Alabama. The said additional judge shall be known and designated as the Associate Judge of the said Circuit, and the present judge shall be the Presiding Judge of the Circuit. The two judges of said circuit shall preside over the several courts of said circuit and have equal jurisdiction in all counties of the Circuit. The associate judge of said Fourth Judicial Circuit residing in Dallas County shall in addition to the salary paid by the State of Alabama be paid a supplemental salary of twenty-four hundred dollars per year by Dallas County, Alabama, from the general funds of said county, payable as the salaries of county officers are paid. This supplemental salary shall go into effect commencing with the six year term of said associate judge beginning on the first Monday after the second Tuesday in January of 1965 and shall expire with the expiration date of said term of office. In the event the salary paid by the State of Alabama together with the supplement herein provided shall exceed the sum of \$18,000.00 per annum, said supplement payable under the provisions of this Act shall be diminished in such amount that the total salary paid shall not exceed the sum of \$18,000.00."

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Montgomery)
Brannan	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Shelton
Clark	Hawkins	Metcalf	Taylor
Cooper	Hornsby	Montgomery	Tyson
Dumas			—24

Nays: —0

And said Bill, as thus amended by the House amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Montgomery)
Brannan	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Shelton
Clark	Hawkins	Metcalf	Taylor
Cooper	Hornsby	Montgomery	Tyson
Dumas			—24

Nays: —0

BILLS ON THIRD READING RESUMED

The Bill:

S. 6. Proposing an amendment to the Constitution of Alabama requiring approval of the qualified electors of the state prior to the issuance and sale of revenue bonds.

was taken up.

Mr. Gilchrist offered the following amendment to the bill, to-wit:

AMENDMENT TO S. B. 6

Amend paragraph 1 of the Proposed Amendment in Section 1 of Senate Bill 6 by inserting a semi-colon for the period at the end of said paragraph and adding thereafter the following:

“provided, however, that this amendment shall not apply to any municipal corporation or incorporated municipal board in the state, or to any bonds or securities which such municipal corporations and incorporated municipal boards may presently or hereafter be authorized to issue.”

which was read.

COMMUNICATION FROM SUPERINTENDENT OF EDUCATION

July 31, 1964

To The Senate
Alabama State Legislature
Montgomery, Alabama

In compliance with Article XIV, Section 264, of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following

person has been elected as a member of the University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, to fill the vacancy created by the death of Trustee Brewer Dixon, since the last session of the Legislature:

Name, Samuel Earle G. Hobbs; Address, Selma, Alabama; District, Fourth; Expiration of Term, 1967.

Respectfully submitted,

/s/ A. R. Meadows
Austin R. Meadows, State
Superintendent of Education

Sworn to and subscribed before
me this 12 day of August, 1964

/s/ Agnes Brindley
Notary Public

SEAL

STATE OF ALABAMA
TUSCALOOSA COUNTY

I, J. Rufus Bealle, Secretary of The Board of Trustees of the University of Alabama, hereby certify that Mr. Samuel Earle G. Hobbs, Selma, Alabama, was elected as a member of the University of Alabama Board of Trustees by the members of said Board in the manner prescribed by the Constitution of Alabama at a special meeting of The Board held on July 25, 1964, from the Fourth Congressional District to succeed Mr. Brewer Dixon, deceased. This term expires in 1967.

WITNESS my hand and the seal of The Board of Trustees of the University of Alabama on this the 31st day of July, 1964.

/s/ J. Rufus Bealle
J. Rufus Bealle
Secretary

SEAL

COMMUNICATION FROM SUPERINTENDENT OF EDUCATION

On motion of Mr. Givhan, the Senate confirmed the appointment of Honorable Samuel Earle G. Hobbs, of Selma, Alabama, to the Board of Trustees of University of Alabama for the term expiring in 1967, which said appointment is set out in the foregoing Communication from the Superintendent of Education.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 26. Relative to designating the new chapel at Jacksonville State College, "McCluer Chapel".

Also:

H. J. R. 27. Relative to commending Governor George Wallace for his efforts in behalf of education.

Also:

H. J. R. 28. Relative to congratulating Miss Shirley Crawford of Marion and John Hamilton Jordan of Montgomery upon their achievement as National Merit Scholars for the 1964 High School scholastic year.

Also:

H. J. R. 29. Relative to expressing regret upon the death of Mr. Earl Lee Tucker.

Also:

H. J. R. 30. Relative to expressing regret upon the death of Mr. T. R. Nash.

Also:

H. J. R. 33. Relative to expressing deep appreciation to Dr. Ralph Brown Draughon for his most successful administration as President of Auburn University.

Also:

H. J. R. 36. Relative to expressing regret upon the death of Dr. Samuel Beekman Alison.

Also:

H. J. R. 38. Relative to commending the Robert E. Lee High School Band.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 73. To apply in all counties having populations of not less than 30,550 nor more than 31,000, regulating the compensation of members of the county governing body.

Also:

S. 87. To amend Act No. 120, S. 137, Regular Session 1943, General Acts 1943, p. 121, which creates an additional judgeship for the Fourth Judicial Circuit of Alabama, so as to provide a county supplement to the salary paid by the State for the associate judge.

Also:

S. 120. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 26,000 nor more than 27,000 according to the

1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 121. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 12,500 nor more than 13,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 125. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

Also:

S. 127. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Also:

S. 128. To apply in all counties having populations of not less than 51,000 nor more than 56,000, fixing and regulating the payment of the fees of jurors.

Also:

S. 129. To apply in all counties having populations of not less than 51,000 nor more than 56,000, regulating the compensation of election officers.

Also:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Also:

S. J. R. 10. Congratulating Miss Vicki Powers of Mobile upon being selected Miss Alabama.

Also:

S. J. R. 11. Commending the Sidney Lanier High School Drill Team and Color Guard.

Also:

S. J. R. 12. Congratulating the South Brookley Little League Team.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote

of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

COMMUNICATION FROM HONORABLE CHARLES H. ADAMS

The President and Presiding Officer of the Senate announced that he had received the following Communication from Mr. Adams, to-wit:

"249P CST Aug 19 64 NSB 145
NS DOA 130 PD Dothan Ala 19 241P CST
Hon James B Allen Lieut Gov
Care Governors Office Montgomery Ala

I respectfully request to be relieved as Chairman of the Rules Committee

Charles H Adams"

Which was read and ordered spread upon the Journal.

APPOINTMENT OF CHAIRMAN OF RULES COMMITTEE

Thereupon the President and Presiding Officer of the Senate appointed Honorable James S. Clark as Chairman of the Rules Committee to succeed Honorable Charles H. Adams, resigned.

REPORT FROM RULES

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 14. BE IT RESOLVED by the Senate that the following shall be the special, paramount and continuing order of business today immediately following reports of standing committees, superseding all and any prior special, paramount and continuing orders of business:

1. H. B. 112 on page 9 of the calendar.
2. S. B. 145 on page 11 of the calendar.

Mr. Roberts offered the following amendment to the Resolution, S. R. 14, to-wit:

Amendment to S. R. 14

I move that Senate Rules Committee Report (S. R. 14) be amended by placing S. B. 145 as item number 1 and H. B. 112 as item Number 2 for consideration by the Senate.

On motion of Mr. Roberts, said amendment was indefinitely postponed.

Mr. Roberts then offered the following amendment to the Resolution, S. R. 14, to-wit:

Amendment to S. R. 14

That the Rules Committee report be amended to delete H. B. 112 as an order of business.

RESOLUTIONS

Mr. Clark offered the following Senate Resolution, to-wit:

S. R. 15. BE IT RESOLVED BY THE SENATE OF ALABAMA That when we adjourn, we adjourn to meet again at 12:01 A.M., Thursday, August 20.

Which was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF S. R. 14

The Senate then proceeded to further consideration of the Resolution:

S. R. 14. Setting Special Orders.

The question was on the amendment offered by Mr. Roberts to the Resolution, S. R. 14, and said amendment was then lost.

Yeas 3; Nays 23.

Yeas: Messrs. Bentley, Horton and Robison (Pickens) —3

Nays:

Messrs.:	Gilchrist	McCain	Reynolds
Brannan	Givhan	McDow	Roberts
Carter	Hawkins	Metcalf	Shelton
Clark	Lolley	Montgomery	Taylor
Cooper	Lowe	Nichols	Tyson
Evans	Mathews	Oden	Wilson

—23

MOTION TO ADJOURN

At 11:50 P.M., Mr. Wilson moved that the Senate do now adjourn to meet again Thursday, August 20, at 12:01 A.M.

Mr. Roberts moved as a substitute motion that the Senate adjourn to meet again Thursday, August 20, 1964, at 10 o'clock A.M., which motion was lost.

Yeas 5; Nays 24.

Yeas:

Messrs.:	Hornsby	Robison (Montgomery)	Robison (Pickens)
Bentley	Horton		

—5

Nays:

Messrs.:	Givhan	McCain	Reynolds
Brannan	Hammond	McDow	Roberts
Carter	Hawkins	Metcalf	Shelton
Clark	Lolley	Montgomery	Taylor
Cooper	Lowe	Nichols	Tyson
Evans	Mathews	Oden	Wilson
Gilchrist			

—24

ADJOURNMENT

The question recurred on the motion of Mr. Wilson, which was adopted, and at 11:53 P.M., pending further consideration of S.B. 6 and S.R. 14, the Senate adjourned until Thursday, August 20, 1964, at 12:01 A.M.

TENTH LEGISLATIVE DAY

THURSDAY, AUGUST 20, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable Albert Brewer, Speaker of the House of Representatives.

ROLL CALL

Present:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson
Eddins	Lolley	Reynolds	

—34

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE

ON

REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Ninth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Tyson, leave of absence was granted Mr. Adams for today.

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the unfinished business for today, which was the Resolution:

S. R. 14. Setting Special Orders.

Mr. Clark offered the following amendment to the Resolution, S. R. 14, to-wit:

Amend S. R. 14 so that the items included as special, paramount, and continuing order of business are as follows:

1. H. B. 112
2. H. B. 113
3. S. B. 145

Which was adopted.

Mr. Roberts moved that the Senate reconsider the vote by which the amendment to S. R. 14, offered by Mr. Clark, was adopted.

Mr. Cooper moved that the motion to reconsider be laid on the table, and the motion to table prevailed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Givhan	McCain	Reynolds
Brannan	Hammond	McDow	Roberts
Carter	Hawkins	Metcalf	Shelton
Clark	Lolley	Montgomery	Taylor
Cooper	Lowe	Nichols	Tyson
Evans	Mathews	Oden	Wilson

—23

Nays:

—0

Mr. Roberts offered the following amendment to the Resolution, S. R. 14, as amended, to-wit:

Amdt. to S. R. 14 as amdt.

I move that S. R. 14 as amended be further amended by deleting S. B. 145 on page 11 of the calendar as a special, paramount and continuing order of business.

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Hammond	McDow	Roberts
Brannan	Hawkins	Metcalf	Shelton
Carter	Lolley	Montgomery	Taylor
Clark	Lowe	Nichols	Tyson
Cooper	Mathews	Oden	Wilson
Givhan	McCain	Reynolds	

—22

Nay: Mr. Robison (Montgomery)

—1

Mr. Roberts moved that the Senate reconsider the vote by which the amendment offered by Mr. Roberts was laid on the table. Mr. Cooper moved that the motion to reconsider be laid on the table, and the motion to table prevailed.

Mr. Cooper moved that the Senate adopt the Resolution, S. R. 14, as amended.

Mr. Roberts moved as a substitute motion that further consideration of the Resolution, S. R. 14, as amended, be postponed until the next Legislative Day.

On motion of Mr. Cooper, the motion to postpone was laid on the table.

And said Resolution, S. R. 14, as amended, was then adopted by the Senate.

Mr. Roberts moved that the Senate reconsider the vote by which the Resolution was adopted and Mr. Cooper moved that the motion to reconsider be laid on the table. The motion to table prevailed.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate then proceeded to consideration of the next item of unfinished business for today, which was the Bill:

S. 6. Proposing an amendment to the Constitution of Alabama requiring approval of the qualified electors of the state prior to the issuance and sale of revenue bonds.

The question was on the amendment offered by Mr. Gilchrist, which said amendment is set out at length in the Journal of the Senate for the Ninth Legislative Day.

RECESS

At 7:30 A.M., on motion of Mr. Mathews, the Senate took a recess until 8 o'clock this morning.

The recess period having expired, the Senate was called to order by Honorable George Hawkins, President Pro Tem of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	McCain	Reynolds
Bentley	Gilchrist	McDow	Roberts
Brannan	Givhan	Metcalf	Robison (Montgomery)
Carter	Hawkins	Montgomery	Robison (Pickens)
Clark	Lolley	Nichols	Taylor
Cooper	Lowe	Oden	Wilson
Dumas			

—24

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Hornsby, James, Robison (Pickens), Eddins, Reynolds, Clark, Hammond, Tyson, Taylor, McDow, Hawkins, Lowe, Carter, Evans, Givhan, Brannan, Smith and Robison (Montgomery):

S. 158. To use the final peaceful and lawful means available to the people of the sovereign State of Alabama, to void unconstitutional legislation passed by members of the U. S. Congress, to clarify the law within the State of Alabama which has been confused by unconstitutional and illegal actions of members of the United States Supreme Court, the federal Executive Branch and finally the U. S. Congress itself, to correct distortions of the basic Law of the Land, to eliminate arrogations of power by federal agencies which power was not "delegated by the Constitution nor prohibited by it to the States", to revoke usurpa-

tions by the Federal Government of power retained under the Constitution of the United States by the State of Alabama and the people thereof, to void within the State of Alabama the Public Law No. 88-352, so-called "The Civil Rights Act of 1964."

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mashburn:

H. 221. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Glass:

H. 222. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

By Mr. Cornett:

H. 224. To provide contingent funds for all counties having populations of not less than 46,000 nor more than 46,500, and regulating the use of such funds.

By Mr. Cates:

H. 227. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

By Mr. Cates:

H. 228. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

By Mr. Cates:

H. 229. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

By Messrs. Pierce, Goldthwaite and Little:

H. 230. Providing for appointment of members of county boards of equalization in counties having populations of not less than 150,000 nor more than 300,000; amending further Code of Alabama Title 51, Section 89.

By Messrs. Pierce, Goldthwaite and Little:

H. 231. Providing for the appointment, tenure, compensation, powers and duties of license inspectors in counties having populations of not less than 150,000 nor more than 300,000.

By Messrs. Pierce, Goldthwaite and Little:

H. 232. Relating to the appointment, tenure, and compensation of registrars in counties having populations of not less than 150,000 nor more than 300,000.

By Mr. Casey:

H. 238. To apply in all counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for branch banking in such counties.

By Mr. Heflin:

H. 240. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of the coroner in such counties, providing for a salary payable by the county in lieu of fees and allowances.

By Mr. Heflin:

H. 241. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of jurors.

By Mr. Heflin:

H. 242. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

By Mr. Heflin:

H. 243. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

By Messrs. Merrill, Albea and Burnham:

H. 245. Relating to counties having populations of not less than 76,000 nor more than 96,000; providing for the appointment of deputies sheriff; and fixing their salaries.

By Messrs. Merrill, Albea and Burnham:

H. 246. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 76,000 nor more than 96,000.

By Mr. Moore:

H. 251. Relating to counties having populations of not less than 22,550 nor more than 24,550, authorizing an appropriation from county funds for certain purposes.

By Mr. Engel et al:

H. 252. Relating to counties having populations of not less than 300,000 nor more than 500,000; to authorize the county governing body of any such county to make available to the sheriff an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

By Mr. Bassett (with notice and proof):

H. 254. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of

Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

By Mr. Cates:

H. 255. Relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff.

By Messrs. Burnham, Merrill and Albea:

H. 263. Relating to counties having a population of not less than 76,000 nor more than 96,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

By Mr. Rast et al:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assessment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

By Mr. Carr:

H. 226. To provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

By Mr. Hawkins:

S. 151. To apply in all counties having populations of not less than 96,000 nor more than 106,000; fixing the term of office of the county license inspector.

By Messrs. Nabors, Owens and Burns (with notice and proof):

H. 29. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the Town of Rainbow City, Etowah County, Alabama.

By Messrs. Nabors, Owens and Burns (with notice and proof):

H. 30. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

By Messrs. Burns, Nabors and Owens:

H. 31. Relating to justice of the peace courts in counties having populations of not less than 96,000 nor more than 106,000; to restore to or reconfer on certain justices of the peace and notaries public ex officio justices of the peace within such counties certain jurisdiction withdrawn and taken away from them by local acts.

By Messrs. Burns, Nabors and Owens:

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

By Messrs. Burns, Nabors and Owens:

H. 205. To regulate further the compensation and allowance of the sheriff of counties having a population of not less than 96,000 nor more than 106,000.

By Messrs. Burns, Nabors and Owens:

H. 207. To amend Act No. 190, H. 389, Regular Session 1961 (Acts 1961, p. 230), an act which regulates the compensation of members and clerks of jury commissions in counties having populations of not less than 96,000 nor more than 106,000.

By Messrs. Burns, Nabors and Owens:

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

By Messrs. Burns, Nabors and Owens:

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

By Messrs. Albea, Burnham and Merrill:

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

By Mr. Vacca et al:

H. 178. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

The above bill was read a second time at length as required by the Constitution.

By Mr. Moore:

H. 184. Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue.

By Messrs. Engel and Hogan:

H. 187. Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County.

By Messrs. Slate and Brewer (with notice and proof):

H. 190. Relating to the Municipality of Hartselle, in Morgan County, Alabama: to alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

By Mr. Slate et al:

H. 191. Regulating further the office of circuit solicitor of the eighth judicial circuit of Alabama; amending Section 2 of Act No. 312, S. 215, Regular Session 1955 (Acts 1955, p. 710), relating to the solicitor's fund.

By Messrs. Callahan and Brown (Tuscaloosa):

H. 214. Relating to counties having a population of not less than 100,000 nor more than 115,000 according to the latest or any succeeding Federal census and amending Title 49, Section 64 of the Code of Alabama of 1940 as the same applies to such counties.

By Mr. Jones (Covington):

H. 198. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Covington County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner (Crenshaw) et al:

H. 236. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

Mr. Shelton, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Camp et al:

H. 159. To amend Section 19 of Act No. 108, H. 152, Regular Session 1959, an act relating to the practice of chiropractic (Acts 1959, v. 1, p. 612).

By Messrs. Camp and Brown (Tuscaloosa):

H. 193. To make an appropriation to the State Board of Chiropractic Examiners for the fiscal year ending September 30, 1965.

Mr. Tyson, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Edington et al:

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Albea, Burnham and Casey:

H. 244. Relating to the Seventh Judicial Circuit and the Sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

By Mr. Etheredge et al:

H. 219. To provide additional judges for the tenth judicial circuit of Alabama.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Engel et al:

H. 118. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

By Messrs. Goodwyn, Pierce and Little:

H. 202. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

By Mr. Engel et al:

H. 253. To apply in counties having populations of not less than 300,000 nor more than 500,000; providing for assistants and deputies of the sheriff, regulating and providing for payment of their compensation.

By Messrs. Goodwyn, Goldthwaite, Little and Pierce:

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

By Messrs. Burnham, Merrill and Albea:

H. 262. To provide for a Chief Bailiff of the Circuit Court of any County having a population of not less than 76,000 nor more than 96,000, and to further provide for the appointment, tenure of office, and compensation of such Chief Bailiff.

Mr. Dumas, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn et al:

H. 142. To authorize and require the expenditure of funds in the Public Welfare Trust Fund, created by Title 49, Section 17, Sub-section 27 of the Code of Alabama of 1940, to provide Juvenile Court probationary services in all those counties in which Juvenile Court probationary service is not furnished by the State Department of Pensions and Security and to authorize the matching of funds with local counties employing Juvenile Court Probation Officers.

By Mr. Rogers et al:

H. 133. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2(b), Act No. 100, Second Special Session 1959.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Drake:

H. 234. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

By Mr. Drake:

H. 235. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

BILLS ON THIRD READING

The Senate proceeded to further consideration of the Bill:

S. 6. Proposing an amendment to the Constitution of Alabama requiring approval of the qualified electors of the state prior to the issuance and sale of revenue bonds.

The question was on the amendment offered by Mr. Gilchrist, which said amendment is set out at length in the Journal of the Senate for the Ninth Legislative Day, and said amendment was adopted by the Senate.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Reynolds
Brannan	Givhan	McDow	Robison (Pickens)
Carter	Hawkins	Metcalf	Shelton
Clark	Horton	Nichols	Taylor
Cooper	Lolley	Oden	Wilson
Evans	Lowe		

—21

Nays:

—0

Mr. Gilchrist moved that the Senate reconsider the vote by which said amendment was adopted.

On motion of Mr. Cooper, the motion to reconsider was laid on the table.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Reynolds
Brannan	Gilchrist	McDow	Shelton
Carter	Lolley	Metcalf	Smith
Clark	Lowe	Montgomery	Taylor
Cooper	Mathews	Nichols	Wilson
Dumas			

—20

Nays:

—0

Mr. Gilchrist then offered the following amendment to the Bill, S. B. 6, as amended, to-wit:

Amendment to S. B. 6, as amended

Amend paragraph 1 of Section 1 of Senate Bill 6 by adding thereto the following: "provided, however, that the provisions of this amendment may be suspended by an affirmative vote of 4/5 of the members elected to both houses of the Legislature."

On motion of Mr. Cooper, said amendment was then adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Givhan	McCain	Shelton
Carter	Hawkins	McDow	Smith
Clark	Hornsby	Metcalf	Taylor
Cooper	Lolley	Montgomery	Tyson
Evans	Lowe	Nichols	Wilson
Gilchrist	Mathews	Reynolds	

—22

Nays:

—0

Mr. Cooper then moved that the Senate reconsider the vote by which it adopted the amendment offered by Mr. Gilchrist to the Bill, S. B. 6, as amended, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

On motion of Mr. Cooper, the Bill, S. B. 6, as amended, was then read a third time at length, as required by the Constitution.

And said Bill, S. B. 6, as thus amended, was then passed.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Evans	Mathews	Robison (Pickens)
Bentley	Gilchrist	McCain	Shelton
Brannan	Givhan	McDow	Smith
Carter	Hammond	Montgomery	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nay: Mr. Metcalf

—1

The Bill:

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

was taken up.

Mr. Gilchrist offered the following amendment to the Bill, to-wit:

Amendment to H. B. 112

In the caption, strike out the figures \$15,000,000 and insert \$5,000,000

Also, in Section 1, strike out the figures \$15,000,000 and insert \$5,000,000

Also, in Section 8, on line 26, strike out the words and figures "August 1, 1964," and insert "July 1, 1964,"

Also, in Section 8, on line 30, strike out the words and figures twenty-eight (28) and insert "ten (10)"

On motion of Mr. Cooper said amendment was laid on the table.

Mr. Roberts moved that the Senate reconsider the vote by which the amendment offered by Mr. Gilchrist was laid on the table.

On motion of Mr. Cooper, the motion to reconsider was laid on the table.

Mr. Roberts then offered the following amendment to the bill, H. B. 112, to-wit:

Amendment to H. B. 112

In the caption, strike out the words "and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act"

Also, strike out Section 7 and insert in lieu thereof the following:

Section 7. Refunding Bonds. The corporation may from time to time issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the corporation then outstanding. Any premium that may be necessary to redeem or retire the bonds to be refunded and all expenses of issuing the refunding bonds may be paid out of the proceeds from the sale of the refunding bonds. The principal of the refunding bonds shall not exceed the principal of the bonds to be refunded plus any such premium and expenses. If the total of the principal and interest maturing with respect to any refunding bonds, during each fiscal year in which any of the bonds secured on a parity with the bonds to be refunded have a stated maturity, does not exceed the total of the principal and interest that would have matured during the same fiscal year on the said bonds to be refunded, then the refunding bonds shall be subrogated and entitled to all priorities, rights and pledges to which the bonds refunded thereby were entitled. Except in cases covered by the preceding sentence, all pledges for the benefit of refunding bonds shall be subject to pledges theretofore made for the benefit of all bonds of the corporation then outstanding.

On motion of Mr. Cooper, said amendment was laid on the table.

Mr. Roberts then offered the following amendment to the bill, to-wit:

Amendment to H. B. 112

In Section 8, on line 30, strike out "a combined total of twenty-eight (28)" and insert "a combined total of twenty (20)"

On motion of Mr. Reynolds, said amendment was laid on the table.

Mr. Dumas offered the following amendment to the bill, H. B. 112, to-wit:

Amendment to H. B. 112

House Bill 112 is hereby amended as follows:

In section 1. Strike out clause (b) and renumber clauses (c) and (d) as clauses (b) and (c) respectively.

Strike out section 7 and insert in lieu thereof the following:

"The corporation shall have no power either under this Act or under the provisions of the 1963 Act to issue or sell any refunding bonds in order to refund bonds issued under either this Act or the 1963 Act."

Strike out the last sentence of section 8.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Smith
Carter	Hornsby	Montgomery	Taylor
Clark	James	Nichols	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas	Lowe		

—29

Nays:

—0

Mr. Dumas then offered the following amendment to the bill, H. B. 112, as amended, to-wit:

Amendment to H. B. 112 as amended

House Bill 112 is hereby amended as follows:

In section 8 strike out the words "agents and" where such words appear together in the first sentence and add at the end of said section 8 the following:

"No proceeds of bonds or other public funds shall be used or expended to pay any fee, expense or compensation to any fiscal or other agent for services in or about selling or procuring bidders for any bonds issued under this Act or under the 1963 Act. All guaranteed bids and other devices for paying fees or compensation to any person in connection with any sale of bonds under this Act or under the 1963 Act are hereby prohibited."

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Reynolds	Wilson

—31

Nays:

—0

Mr. Dumas then offered the following amendment to the bill, H. B. 112, as amended, to-wit:

AMENDMENT TO H. B. 112 AS AMENDED

House Bill 112 is hereby amended as follows:

At the end of section 2 add the following: " ; provided, however, that no such redemption price shall exceed par plus accrued interest to the date of redemption plus a redemption premium not exceeding one year's interest at the coupon rate of the bond or bonds redeemed; and provided further, that the average annual net interest cost to the corporation for the bonds being sold at any one sale, computed from the

date of those at the time being sold to their respective maturities, shall not exceed five (5) per cent per annum."

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson

—31

Nays:

—0

Mr. Roberts then offered the following amendment to the bill, H. B. 112, as amended, to-wit:

Amendment to H. B. 112, as amended

In Section 8, on line 13, after the words and figures "the 1963 act." insert the following:

"Notwithstanding the foregoing sentence, the corporation may use the proceeds of the bonds to finance capital improvements at trade schools in existence on the effective date of the 1963 act."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—33

Nays:

—0

On motion of Mr. Cooper, the bill, H. B. 112, as thus amended, was then read a third time at length.

And said Bill, H. B. 112, as thus amended, was then passed by the Senate.

Yeas 25; Nays 9.

Yeas:

Messrs.:	Givhan	McCain	Reynolds
Allen	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	James	Montgomery	Taylor
Clark	Lolley	Nichols	Tyson
Cooper	Lowe	Oden	Wilson
Evans	Mathews		

—25

Nays:

Messrs.:	Eddins	Horton	Robison (Montgomery)
Bentley	Gilchrist	Roberts	Robison (Pickens)
Dumas	Hornsby		—9

Mr. Cooper moved that the Senate reconsider the vote by which the Bill, H. B. 112, as amended, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 25; Nays 9.

Yeas:

Messrs.:	Givhan	McCain	Reynolds
Allen	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	James	Montgomery	Taylor
Clark	Lolley	Nichols	Tyson
Cooper	Lowe	Oden	Wilson
Evans	Mathews		—25

Nays:

Messrs.:	Eddins	Horton	Robison (Montgomery)
Bentley	Gilchrist	Roberts	Robison (Pickens)
Dumas	Hornsby		—9

The Bill:

H. 113. To amend Act No. 92 adopted at the Second Special Session of 1963 of the Legislature of Alabama to provide for the collection and distribution of the proceeds of the tax levied by the said act.

Was read a third time at length and passed.

Yeas 25; Nays 9.

Yeas:

Messrs.:	Givhan	McCain	Reynolds
Allen	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	James	Montgomery	Taylor
Clark	Lolley	Nichols	Tyson
Cooper	Lowe	Oden	Wilson
Evans	Mathews		—25

Nays:

Messrs.:	Eddins	Horton	Robison (Montgomery)
Bentley	Gilchrist	Roberts	Robison (Pickens)
Dumas	Hornsby		—9

Mr. Cooper moved that the Senate reconsider the vote by which the Bill, H. B. 113, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed

Senate Bill, with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 6. Proposing an amendment to the Constitution of Alabama requiring approval of the qualified electors of the state prior to the issuance and sale of revenue bonds.

W. RAY LOLLEY,
Chairman.

ADJOURNMENT

At 11:10 P.M., on motion of Mr. Shelton, the Senate adjourned until Friday, August 21, 1964, at 10 o'clock A.M.

ELEVENTH LEGISLATIVE DAY

FRIDAY, AUGUST 21, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Tyson
Evans	Lolley	Reynolds	Wilson

—31

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Tenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Tenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams, Brannan, Eddins and Metcalf for today.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 25. Expressing approval of a maximum daytime speed limit of 70 miles an hour on all 4-lane highways, with a nighttime maximum of 60 miles per hour.

And said Resolution was then adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 145. To provide further for the certification and election of representatives in Congress by districts, repealing conflicting laws.

was taken up.

Mr. Cooper offered the following amendment to the Bill, to-wit:

Amendment to S. B. 145

Strike out Section 1 of the bill and insert in lieu thereof the following:

Section 1. Representatives in Congress shall be elected by districts at the general election in November 1964, and every two years thereafter, as provided by law. And the names of all candidates nominated by political parties as authorized by law shall be certified by the chairman of the state executive committee of the political party making such nominations to the secretary of state not less than 60 days before the election; and the secretary of state shall thereupon certify such nominations to the judges of probate of the several counties composing such districts as provided in Code 1940, Title 17, Section 145, as amended. The names of all candidates so certified by the party chairmen and the secretary of state as herein provided shall be printed on the ballots and voting machine tabs in the manner prescribed by law.

Which was adopted.

Yeas 24; Nays 3.

Yeas:

Messrs.:
Allen
Bentley
Carter
Clark
Cooper
Dumas

Evans
Gilchrist
Hammond
Hornsby
Horton
Lolley

Lowe
Mathews
McCain
McDow
Oden
Reynolds

Robison (Montgomery)
Shelton
Smith
Taylor
Tyson
Wilson

Nays: Messrs. Givhan, James, Robison (Pickens) —3

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 3.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Allen	Evans	Lowe	Robison (Montgomery)
Bentley	Gilchrist	Mathews	Smith
Carter	Hammond	McCain	Taylor
Clark	Hornsby	McDow	Wilson
Cooper	Horton		

—21

Nays: Messrs. Givhan, James, and Robison (Pickens) —3

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property

annexed to municipalities in such counties, and in newly incorporated areas.

was taken up.

Mr. Dumas offered the following amendment to the Bill, H. B. 37, to-wit:

Amendment to H. B. 37

Amend the title of House Bill 37 by adding the word "unincorporated" before the word "property" in said title.

Amend Section 2 of House Bill 37 by adding the word "unincorporated" before the word "territory" and by deleting from Section 2 the following words and figures, "until the next succeeding tax year after the tax year beginning on October 1 following the date of the annexation" and adding in lieu thereof the following words and figures, "payable on October 1st of such calendar year." Also put "July 1st" in lieu of April 1st wherever April 1st appears in said Section 2 and July 10th in lieu of April 10th.

Amend Section 3 of House Bill 37 by deleting from said Section 3 the following words "the population of such areas and"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Bentley	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Givhan			

—24

Nays:

—0

And said Bill, H. B. 37, as thus amended, was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Allen	Hawkins	McCain	Shelton
Bentley	Hornsby	McDow	Smith
Carter	Horton	Montgomery	Taylor
Clark	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Givhan			

—24

Nays:

—0

The Bill:

S. 140. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Horton	Nichols	Taylor
Clark	James	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas			—24

Nays:

—0

The Bill:

H. 95. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Hornsby	Nichols	Taylor
Dumas			—24

Nays:

—0

The Bill:

H. 97. To apply only in counties having populations of not less than 13,700 nor more than 14,300, relative to closing the office of officials in the courthouse.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hawkins	McCain	Robison (Pickens)
Allen	Hornsby	McDow	Shelton
Bentley	Horton	Montgomery	Smith
Carter	James	Nichols	Taylor
Clark	Lolley	Oden	Tyson
Dumas	Lowe	Reynolds	Wilson
Hammond			—24

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Smith, further consideration of the Bill, H. B. 224, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

was taken up.

Mr. McCain offered the following amendment to the Bill, to-wit:

Amendment to H. B. 195

In subsection a) of Section 3, after the words "duly authorized employees" insert "or the board of registrars,"

Also, in Section 8, strike out the words "for the purpose of preparing a list" and insert "for the purpose of preparing a registered voters list and preparing a list"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Montgomery	Shelton
Cooper	Hornsby	Nichols	Smith
Dumas	Lowe	Oden	Taylor
Evans			—24

Nays:

—0

And said Bill, H. B. 195, as thus amended, was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Montgomery	Shelton
Cooper	Hornsby	Nichols	Smith
Dumas	Lowe	Oden	Taylor
Evans			—24

Nays:

—0

The Bill:

S. 147. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings in counties having not less than 26,000 nor more than 27,000 population, according to the last or any subsequent decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Hornsby	McDow	Smith
Carter	Horton	Nichols	Taylor
Clark	James	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas			

—24

Nays:

—0

The Bill:

S. 153. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Hornsby	Nichols	Taylor
Dumas	Lowe	Roberts	Tyson
Evans			

—24

Nays:

—0

The Bill:

S. 150. An Act to revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963 (Ala. Acts, 1963, page 963, et seq.)

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Pickens)
Allen	Givhan	McCain	Shelton
Carter	Horton	McDow	Smith
Clark	James	Oden	Taylor
Cooper	Lolley	Reynolds	Tyson
Dumas	Lowe	Roberts	Wilson
Evans			

—24

Nays:

—0

The Bill:

S. 154. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Montgomery)
Allen	Hawkins	McDow	Shelton
Bentley	Hornsby	Montgomery	Smith
Carter	Horton	Nichols	Taylor
Clark	James	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas			—24

Nays: —0

The Bill:

H. 92. To provide that any city or town in the State having a commission form of government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of commissioners; to establish the qualifications of candidates for commissioners positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the Board of Commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by commissioners; to prohibit commissioners from holding other public offices; to prohibit any commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the board; to provide for the salaries of commissioners and other disbursements of the municipality; to provide that meetings of the Board of Commissioners shall be open to the public; to provide a manner for changing the form of government of the municipality; to provide for the presentation of a petition calling for the resignation of a commissioner, and to establish requirements for the signing thereof; to provide a fee for the Judge of Probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a commissioner and for the election of his successor; and to state the method for ascertaining qualified voters in municipalities situated in more than one county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Clark	Gilchrist	Hornsby
Allen	Cooper	Givhan	Lowe
Bentley	Dumas	Hammond	Mathews
Carter	Evans	Hawkins	McCain

McDow	Roberts	Robison (Pickens)	Smith	
Montgomery	Robison (Montgomery)	Shelton	Taylor	
Nichols				—24
<i>Nays:</i>				—0

The Bill:

H. 18. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Horton	Nichols	Shelton
Clark	James	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas			
—24			

Nays: —0

The Bill:

H. 25. To apply only in counties having populations of not less than 28,000 nor more than 30,575, authorizing such counties to make certain temporary loans.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Robison (Pickens)
Clark	Hawkins	McDow	Shelton
Cooper	Hornsby	Montgomery	Smith
Dumas	Horton	Oden	Taylor
Evans			
—24			

Nays: —0

The Bill:

H. 35. Relating to counties having a population of not less than 21,988 nor more than 22,000; and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such a salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Carter	Dumas	Hawkins
Allen	Clark	Givhan	Hornsby
Bentley	Cooper	Hammond	Horton

James
Lolley
Mathews
McDow

Montgomery
Oden
Nichols

Reynolds
Shelton
Smith

Taylor
Tyson
Wilson

—24

Nays:

—0

The Bill:

H. 163. To apply in counties having populations of not less than 14,400 nor more than 14,900, providing expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:
Allen
Bentley
Carter
Clark
Cooper
Evans

Gilchrist
Givhan
Hammond
Hawkins
James
Lowe

Mathews
McCain
McDow
Montgomery
Nichols
Oden

Reynolds
Roberts
Robison (Montgomery)
Robison (Pickens)
Tyson
Wilson

—24

Nays:

—0

The Bill:

H. 188. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 130,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit, but shall be payable from the benefits secured for, or on behalf of the persons for whose benefit any such suit was successfully prosecuted; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Montgomery)
Allen	Hawkins	McDow	Shelton
Bentley	Hornsby	Montgomery	Smith
Carter	Horton	Nichols	Taylor
Clark	James	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas			—24

Nays: —0

The Bill:

H. 194. To apply only in counties of the state having populations of not less than 100,000 nor more than 115,000; to further regulate the taking of fish from public streams and impounded waters.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Allen	Gilchrist	Lowe	Roberts
Bentley	Givhan	Mathews	Robison (Montgomery)
Carter	Hornsby	McCain	Taylor
Clark	Horton	Nichols	Tyson
Cooper	James	Oden	Wilson
Dumas			—24

Nays: —0

The Bill:

H. 196. Relating to counties having a population of not less than 100,000 and not more than 115,000 inhabitants according to the latest or any succeeding Federal decennial census and providing for and further regulating the operation of child care in institutions in such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Reynolds
Allen	Hawkins	Mathews	Roberts
Carter	Hornsby	McCain	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Givhan			—24

Nays: —0

The Bill:

H. 199. To provide that housing authorities incorporated under the statutes contained in the Code of Alabama 1940 in counties of not less than 150,000 inhabitants and not more than 300,000 inhabitants according to the last United States Census: where the employees of said housing authorities are subject to the provisions of a merit system; that said housing

authorities in said counties acting by resolution of their Board of Commissioners are authorized to enter into a contract for the services of a director and assistant director and fix the compensation of same; said director and assistant director shall act as liaison personnel between the cities, the Regional Director and shall negotiate with citizens affected by the over-all plan of Urban Redevelopment and such other duties as may be provided in said contract, in order to expedite and implement Title I of the Federal Housing Act of 1949, as amended. Said contract shall be approved by the Regional Director.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Montgomery	Shelton
Clark	Hornsby	Nichols	Smith
Cooper	Lowe	Oden	Taylor
Evans			

—24

Nays:

—0

The Bill:

H. 164. Relating to counties having populations of not less than 14,400 nor more than 14,900; fixing the compensation of the coroner.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Allen	Givhan	Mathews	Roberts
Carter	Hornsby	McCain	Robison (Montgomery)
Clark	Horton	McDow	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Evans			

—24

Nays:

—0

The Bill:

H. 165. To apply in counties having populations of not less than 14,500 nor more than 14,900: regulating the compensation of the county superintendent of education.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Reynolds
Allen	Hawkins	McCain	Shelton
Bentley	Hornsby	McDow	Smith
Carter	Horton	Montgomery	Taylor
Clark	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Givhan			

—24

Nays:

—0

The Bill:

H. 228. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Allen	Hammond	Mathews	Roberts
Bentley	Hawkins	McCain	Robison (Montgomery)
Carter	Horton	McDow	Robison (Pickens)
Clark	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Evans			—24

Nays: —0

The Bill:

H. 230. Providing for appointment of members of county boards of equalization in counties having populations of not less than 150,000 nor more than 300,000; amending further Code of Alabama Title 51, Section 89.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Allen	Gilchrist	McCain	Roberts
Bentley	Givhan	McDow	Robison (Montgomery)
Carter	Hornsby	Montgomery	Taylor
Clark	Horton	Nichols	Tyson
Cooper	James	Oden	Wilson
Dumas			—24

Nays: —0

The Bill:

H. 227. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Allen	Gilchrist	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Carter	Hammond	McDow	Robison (Pickens)
Clark	Hawkins	Montgomery	Shelton
Cooper	Hornsby	Nichols	Smith
Dumas			—24

Nays: —0

The Bill:

H. 229. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Reynolds
Bentley	Hawkins	Mathews	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Givhan			

—24

Nays:

—0

The Bill:

H. 231. Providing for the appointment, tenure, compensation, powers and duties of license inspectors in counties having populations of not less than 150,000 nor more than 300,000.

Was read a third time at length and passed

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Horton	Montgomery	Robison (Pickens)
Clark	James	Nichols	Taylor
Cooper	Lolley	Oden	Tyson
Dumas	Lowe	Reynolds	Wilson
Evans			

—24

Nays:

—0

The Bill:

H. 232. Relating to the appointment, tenure, and compensation of registrars in counties having populations of not less than 150,000 nor more than 300,000.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Hornsby	Oden	Wilson
Dumas			

—24

Nays:

—0

The Bill:

H. 238. To apply in all counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for branch banking in such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Reynolds
Allen	Givhan	McCain	Roberts
Bentley	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Evans			—24

Nays: —0

The Bill:

H. 240. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of the coroner in such counties, providing for a salary payable by the county in lieu of fees and allowances.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Taylor
Clark	Hornsby	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Evans			—24

Nays: —0

The Bill:

H. 241. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of jurors.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hawkins	Mathews	Roberts
Allen	Hornsby	McDow	Shelton
Bentley	Horton	Montgomery	Smith
Carter	James	Nichols	Taylor
Clark	Lolley	Oden	Tyson
Dumas	Lowe	Reynolds	Wilson
Hammond			—24

Nays: —0

The Bill:

H. 242. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Allen	Givhan	Mathews	Roberts
Bentley	Hornsby	McCain	Robison (Montgomery)
Clark	Horton	McDow	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Evans			—24

Nays:

—0

The Bill:

H. 243. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Robison (Pickens)
Allen	Givhan	Mathews	Shelton
Bentley	Hammond	McCain	Smith
Clark	Hawkins	McDow	Taylor
Cooper	Hornsby	Montgomery	Tyson
Dumas	James	Oden	Wilson
Evans			—24

Nays:

—0

The Bill:

H. 245. Relating to counties having populations of not less than 76,000 nor more than 96,000; providing for the appointment of deputies sheriff; and fixing their salaries.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Shelton
Carter	Horton	McDow	Taylor
Clark	James	Montgomery	Tyson
Cooper	Lolley	Nichols	Wilson
Dumas			—24

Nays:

—0

The Bill:

H. 246. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 76,000 nor more than 96,000.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hawkins	Mathews	Robison (Pickens)	
Carter	Hornsby	McCain	Shelton	
Clark	Horton	Montgomery	Smith	
Cooper	James	Nichols	Taylor	
Dumas	Lolley	Oden	Tyson	
Givhan	Lowe	Reynolds	Wilson	
Hammond				—24

Nays:

—0

The Bill:

H. 252. Relating to counties having populations of not less than 300,000 nor more than 500,000; to authorize the county governing body of any such county to make available to the sheriff an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts	
Allen	Gilchrist	Mathews	Robison (Montgomery)	
Bentley	Givhan	McCain	Robison (Pickens)	
Carter	Hammond	McDow	Shelton	
Clark	Hawkins	Nichols	Smith	
Cooper	James	Oden	Tyson	
Dumas				—24

Nays:

—0

The Bill:

H. 254. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts	
Allen	Givhan	Mathews	Robison (Montgomery)	
Bentley	Hornsby	Montgomery	Smith	
Carter	Horton	Nichols	Taylor	
Clark	James	Oden	Tyson	
Cooper	Lolley	Reynolds	Wilson	
Evans				—24

Nays:

—0

The Bill:

H. 255. Relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Allen	Givhan	Mathews	Roberts
Bentley	Hammond	McCain	Robison (Montgomery)
Clark	Hawkins	McDow	Robison (Pickens)
Cooper	Hornsby	Nichols	Shelton
Dumas	Horton	Oden	Smith
Evans			—24

Nays:

—0

The Bill:

H. 263. Relating to counties having a population of not less than 76,000 nor more than 96,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Reynolds
Allen	Givhan	McCain	Shelton
Bentley	Hammond	McDow	Smith
Carter	James	Montgomery	Taylor
Clark	Lolley	Nichols	Tyson
Dumas	Lowe	Oden	Wilson
Evans			—24

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Taylor, further consideration of the bill, H. B. 222, was indefinitely postponed by the Senate.

On motion of Mr. Reynolds, further consideration of the bill, H. B. 211, was indefinitely postponed by the Senate.

On motion of Mr. Dumas, further consideration of the bill, H. B. 72, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 151. To apply in all counties having populations of not less than 96,000 nor more than 106,000; fixing the term of office of the county license inspector.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds	
Allen	Gilchrist	Mathews	Shelton	
Bentley	Givhan	McCain	Smith	
Carter	Hawkins	McDow	Taylor	
Clark	James	Nichols	Tyson	
Cooper	Lolley	Oden	Wilson	
Dumas				—24

Nays: —0

The Bill:

H. 29. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the Town of Rainbow City, Etowah County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hawkins	McCain	Roberts	
Allen	Hornsby	McDow	Robison (Montgomery)	
Bentley	Horton	Montgomery	Robison (Pickens)	
Clark	James	Nichols	Taylor	
Cooper	Lolley	Oden	Tyson	
Dumas	Lowe	Reynolds	Wilson	
Evans				—24

Nays: —0

The Bill:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assessment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

Amend House Bill 261

Amend Section 2 of House Bill 261 by changing the word "may" in the 21st line of Section 82 to "shall"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Oden
Allen	Givhan	Mathews	Roberts
Bentley	Hammond	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Tyson
Dumas	Horton	Nichols	Wilson
Evans			—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Oden
Allen	Givhan	Mathews	Roberts
Bentley	Hammond	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Tyson
Dumas	Horton	Nichols	Wilson
Evans			—24

Nays:

—0

The Bill:

H. 31. Relating to justice of the peace courts in counties having populations of not less than 96,000 nor more than 106,000; to restore to or reconfer on certain justices of the peace and notaries public ex officio justices of the peace within such counties certain jurisdiction withdrawn and taken away from them by local acts.

was taken up.

Mr. Hawkins offered the following amendment to the Bill, to-wit:

Amend H. B. 31, as follows:

Substitute a comma for the period at the end of Section 1 thereof, and add the following:

“provided, however, that in no event shall any such justice of the peace or notary public ex officio justice of the peace have authority to issue any garnishment or attachment in any case until there has been a final judgment in such case”.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Taylor
Clark	James	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas			—24

Nays:

—0

And said Bill, H. B. 31, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Taylor
Clark	James	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas			—24

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Allen, further consideration of the bills, H. B.'s 166 and 167, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 30. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Reynolds
Allen	Hawkins	McCain	Shelton
Bentley	Hornsby	McDow	Smith
Carter	Horton	Montgomery	Taylor
Clark	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Givhan			—24

Nays:

—0

The Bill:

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

was taken up.

Mr. Hawkins offered the following substitute for the Bill, to-wit:

Substitute for H. B. 203

A BILL TO BE ENTITLED AN ACT

Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in counties having populations of not less than 96,000 nor more than 106,000, according to the last or any succeeding federal decennial census.

Section 2. In all such counties, the board of registrars shall meet on Monday of each week for three consecutive days, legal holidays excepted, and shall register voters during such days, except when required by law to perform other official duties on such days.

Section 3. All laws or parts of laws which conflict with this Act are repealed to the extent of the conflict.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Carter	Hammond	McCain	Robison (Pickens)
Clark	Hawkins	McDow	Shelton
Cooper	Hornsby	Montgomery	Smith
Dumas	Horton	Nichols	Taylor
Evans			—24

Nays: —0

And said Bill, H. B. 203, as amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Carter	Hammond	McCain	Robison (Pickens)
Clark	Hawkins	McDow	Shelton
Cooper	Hornsby	Montgomery	Smith
Dumas	Horton	Nichols	Taylor
Evans			—24

Nays: —0

The Bill:

H. 205. To regulate further the compensation and allowance of the sheriff of counties having a population of not less than 96,000 nor more than 106,000.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hawkins	Mathews	Robison (Montgomery)
Allen	Hornsby	Montgomery	Shelton
Bentley	Horton	Nichols	Smith
Clark	James	Oden	Taylor
Cooper	Lolley	Reynolds	Tyson
Dumas	Lowe	Roberts	Wilson
Evans			—24

Nays: —0

The Bill:

H. 207. To amend Act No. 190, H. 389, Regular Session 1961 (Acts 1961, p. 230), an act which regulates the compensation of members and clerks of jury commissions in counties having populations of not less than 96,000 nor more than 106,000.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Taylor
Clark	Hornsby	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Evans			—24

Nays: —0

The Bill:

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

was taken up.

Mr. Hawkins offered the following amendment to the Bill, to-wit:

Amendment to H. B. 208

Amend H. B. 208 by adding the phrase "class room" between the word "one" and the word "teacher" where they appear in next to the last line of Section 1.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Oden
Allen	Givhan	Mathews	Shelton
Bentley	Hammond	McCain	Smith
Carter	Hawkins	McDow	Taylor
Clark	James	Montgomery	Tyson
Cooper	Lolley	Nichols	Wilson
Evans			—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Oden
Allen	Givhan	Mathews	Shelton
Bentley	Hammond	McCain	Smith
Carter	Hawkins	McDow	Taylor
Clark	James	Montgomery	Tyson
Cooper	Lolley	Nichols	Wilson
Evans			

—24

Nays:

—0

The Bill:

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

was taken up.

Mr. Hawkins offered the following amendment to the Bill, to-wit:

Amendment to H. B. 209

Amend H. B. 209 by inserting the word "class room" before the word "teacher" where ever the said word "teacher" appears in said bill.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hawkins	Mathews	Robison (Montgomery)
Allen	Hornsby	Montgomery	Shelton
Carter	Horton	Nichols	Smith
Clark	James	Oden	Taylor
Cooper	Lolley	Reynolds	Tyson
Dumas	Lowe	Roberts	Wilson
Evans			

—24

Nays:

—0

And said Bill, H. B. 209, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hawkins	Mathews	Robison (Montgomery)
Allen	Hornsby	Montgomery	Shelton
Carter	Horton	Nichols	Smith
Clark	James	Oden	Taylor
Cooper	Lolley	Reynolds	Tyson
Dumas	Lowe	Roberts	Wilson
Evans			

—24

Nays:

—0

The Bill:

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Roberts
Bentley	Hawkins	McDow	Robison (Montgomery)
Carter	Hornsby	Montgomery	Robison (Pickens)
Clark	Horton	Nichols	Shelton
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Givhan			

—24

Nays:

—0

The Bill:

H. 178. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

Was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Allen	Hawkins	Mathews	Shelton
Bentley	Hornsby	McCain	Smith
Carter	Horton	McDow	Taylor
Clark	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Evans			

—24

Nays:

—0

The Bill:

H. 187. Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said

circuits; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Hornsby	Nichols	Tyson
Dumas			

—24

Nays:

—0

The Bill:

H. 214. Relating to counties having a population of not less than 100,000 nor more than 115,000 according to the latest or any succeeding Federal census and amending Title 49, Section 64 of the Code of Alabama of 1940 as the same applies to such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	McDow	Robison (Pickens)
Allen	Hornsby	Montgomery	Shelton
Bentley	Horton	Nichols	Smith
Cooper	James	Oden	Taylor
Dumas	Lolley	Reynolds	Tyson
Evans	McCain	Roberts	Wilson
Gilchrist			

—24

Nays:

—0

The Bill:

H. 118. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Lolley	Reynolds
Bentley	Hammond	Lowe	Roberts
Carter	Hawkins	Mathews	Robison (Montgomery)
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson
Evans			

—24

Nays:

—0

The Bill:

H. 202. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Pickens)	
Allen	Givhan	McCain	Shelton	
Bentley	Hawkins	McDow	Smith	
Clark	Hornsby	Montgomery	Taylor	
Cooper	Horton	Nichols	Tyson	
Dumas	Lowe	Robison (Montgomery)	Wilson	
Evans				—24

Nays: —0

The Bill:

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

was taken up.

Mr. Robison (Montgomery) offered the following amendment to the Bill, to-wit:

Amendment to H. B. 258

In Section 1 of the bill, add the following: However, amounts paid to election officers under this Act for per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts	
Allen	Givhan	Mathews	Robison (Montgomery)	
Bentley	Hammond	McCain	Smith	
Clark	Hawkins	Nichols	Taylor	
Cooper	Hornsby	Oden	Tyson	
Dumas	Horton	Reynolds	Wilson	
Evans				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Smith
Clark	Hawkins	Nichols	Taylor
Cooper	Hornsby	Oden	Tyson
Dumas	Horton	Reynolds	Wilson
Evans			

—24

Nays:

—0

The Bill:

H. 253. To apply in counties having populations of not less than 300,000 nor more than 500,000; providing for assistants and deputies of the sheriff, regulating and providing for payment of their compensation.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Allen	Hawkins	Mathews	Roberts
Bentley	Hornsby	McCain	Robison (Pickens)
Carter	Horton	Montgomery	Shelton
Clark	James	Nichols	Smith
Cooper	Lolley	Oden	Tyson
Evans			

—24

Nays:

—0

The Bill:

H. 262. To provide for a Chief Bailiff of the Circuit Court of any County having a population of not less than 76,000 nor more than 96,000, and to further provide for the appointment, tenure of office, and compensation of such Chief Bailiff.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lolley	Reynolds
Allen	Givhan	Lowe	Roberts
Bentley	Hammond	Mathews	Robison (Montgomery)
Carter	Hawkins	McCain	Robison (Pickens)
Clark	Hornsby	McDow	Shelton
Dumas	James	Oden	Wilson
Evans			

—24

Nays:

—0

The Bill:

H. 234. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds	
Allen	Hawkins	Mathews	Shelton	
Bentley	Hornsby	McDow	Smith	
Carter	Horton	Montgomery	Taylor	
Clark	James	Nichols	Tyson	
Cooper	Lolley	Oden	Wilson	
Evans				—24

Nays:

—0

The Bill:

H. 235. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hawkins	McDow	Robison (Pickens)	
Allen	Hornsby	Montgomery	Shelton	
Carter	Horton	Nichols	Smith	
Clark	James	Oden	Taylor	
Cooper	Lolley	Reynolds	Tyson	
Dumas	McCain	Roberts	Wilson	
Hammond				—24

Nays:

—0

REPORTS OF COMMITTEES

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lowe:

S. 156. Relating to counties having populations of not less than 18,800 nor more than 19,500; providing further for the compensation of members of the county governing bodies.

BILLS ON THIRD READING RESUMED

The Bill:

H. 100. Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Carter	Hammond	McDow	Taylor
Clark	Horton	Nichols	Tyson
Cooper	Lolley	Oden	Wilson
Dumas			

—24

Nays:

—0

The Bill:

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amendment to H. B. 115

In Section 4, strike out the words and figures "and may be held at the same time as other elections, or at any other time." and insert "but shall be held only at the same time as some other election is being held within the county."

Also, in Section 7, strike out "upon its passage and approval by the Governor, or its otherwise becoming a law" and insert "Dec. 1, 1964."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Roberts
Bentley	Hawkins	Mathews	Robison (Montgomery)
Carter	Hornsby	Montgomery	Robison (Pickens)
Clark	Horton	Nichols	Shelton
Cooper	James	Oden	Smith
Dumas	Lolley	Reynolds	Tyson
Evans			

—24

Nays:

—0

And said Bill, H. B. 115, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Lowe	Roberts
Bentley	Hawkins	Mathews	Robison (Montgomery)
Carter	Hornsby	Montgomery	Robison (Pickens)
Clark	Horton	Nichols	Shelton
Cooper	James	Oden	Smith
Dumas	Lolley	Reynolds	Tyson
Evans			—24

Nays:

—0

The Bill:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

was taken up.

Mr. Tyson offered the following substitute for the Bill, to-wit:

Substitute for H. B. 137

A BILL
TO BE ENTITLED
AN ACT

Relating to cities having populations of not less than 200,000 nor more than 300,000; providing civil service or merit system status for Chiefs of Police of such cities.

Be It Enacted by the Legislature of Alabama:

Section 1. The Chiefs of Police Departments in all cities having populations of not less than 200,000 nor more than 300,000, according to the most recent Federal Decennial Census, shall be included in the classified service of the city as provided by any civil service or merit system regulations governing the appointment, tenure, activities, deportment and compensation of other municipal employees within any such city. Provided, however, that any person holding such position at the time of this act's passage, who shall have held this position for at least one year prior to its enactment shall automatically be placed under civil service.

Section 2. All laws or parts of laws in conflict with this Act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon its enactment.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Oden
Allen	Gilchrist	Lowe	Shelton
Bentley	Givhan	Mathews	Smith
Carter	Hammond	McCain	Taylor
Clark	Horton	McDow	Tyson
Cooper	James	Nichols	Wilson
Dumas			—24

Nays:

—0

And said Bill, H. B. 137, as amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Oden	
Allen	Gilchrist	Lowe	Shelton	
Bentley	Givhan	Mathews	Smith	
Carter	Hammond	McCain	Taylor	
Clark	Horton	McDow	Tyson	
Cooper	James	Nichols	Wilson	
Dumas				—24

Nays:

—0

The Bill:

S. 152. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Horton	Reynolds	
Allen	Gilchrist	McCain	Roberts	
Bentley	Givhan	McDow	Robison (Montgomery)	
Carter	Hammond	Montgomery	Robison (Pickens)	
Clark	Hawkins	Nichols	Taylor	
Cooper	Hornsby	Oden	Tyson	
Dumas				—24

Nays:

—0

The Bill:

H. 139. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Amendment CXCV to the Constitution of Alabama providing for the levy and collection by Mobile County of a special tax, not exceeding six mills on each dollar of taxable property in the County, for public hospital purposes.

Was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts	
Allen	Givhan	Mathews	Shelton	
Carter	Hammond	McDow	Smith	
Clark	Horton	Nichols	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Reynolds	Wilson	
Evans				—24

Nays:

—0

The Bill:

H. 17. To authorize and create an additional judge of and for the twelfth judicial circuit, who shall also be ex-officio judge of all juvenile and domestic relations courts in said circuit, and to provide for his jurisdiction, powers, duties, qualifications and salary.

was taken up.

Mr. Hawkins offered the following substitute for the Bill, to-wit:

Substitute for H. B. 17

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for additional circuit court judges in the 12th and 16th judicial circuits, and to prescribe the qualifications, compensation, powers, duties, and authority of such judges.

Be It Enacted by the Legislature of Alabama:

Section 1. When an additional judge is appointed to take office as herein provided, there shall be two judges of the twelfth judicial circuit. The additional judge of the twelfth judicial circuit shall be appointed by the Governor within 30 days after the passage and approval of this Act; his term of office shall begin on the first day of the month after he is appointed and qualified, and he shall hold office for a term to expire at the next general election of any state officer held more than six months after the effective date hereof. His successor shall be elected at the next general election of any state officer held more than six months after the effective date of this section to hold office until the expiration of the term of office of the other judge of the twelfth judicial circuit. His successor shall be elected at the next general election of circuit judges and every six years thereafter, for the same term of office as the other judge of the twelfth judicial circuit.

Section 2. The present judge of the twelfth judicial circuit shall be known and designated Circuit Judge, Place No. 1, and said additional judge hereby authorized shall be known and designated Circuit Judge, Place No. 2, of the twelfth judicial circuit. Said additional judge of the twelfth judicial circuit shall have and exercise all the jurisdiction, powers, rights, and authority and shall possess all the qualifications and may perform all the duties the other circuit judges of the State of Alabama may exercise, shall possess or may perform, except as herein expressly limited; and he shall be liable to all the pains and penalties of the other circuit judges of this state.

Section 3. In addition to the duties imposed on him by law, the additional circuit judge of the twelfth judicial circuit shall also be ex officio judge of all juvenile and domestic relations courts in the twelfth judicial circuit, and shall exclusively have and exercise all the powers and authority now possessed, or which may hereafter be conferred upon the judge of such juvenile and domestic relations courts. Appeals to the circuit court from the judgments or orders of any other court in said circuit exercising juvenile or domestic relations jurisdiction shall be assigned to and be heard and determined by Circuit Judge, Place No. 1, and said Circuit Judge, Place No. 2, shall not hear or determine any such appeals.

Section 4. Circuit Judge, Place No. 2, of the twelfth judicial circuit shall be entitled to the same salary, including and supplemental salary

and/or expenses paid by any county in said circuit, to be paid in the same manner and from the same sources, as the other judge of the twelfth judicial circuit.

Section 5. Nothing in this Act shall be construed to diminish or limit the jurisdiction, powers, rights and authority of Circuit Judge, Place No. 1, of the twelfth judicial circuit of Alabama.

Section 6. There is also created an additional judgeship for the sixteenth judicial circuit. The additional judge shall be appointed for the circuit by the Governor, within 10 days after the effective date of this section; he shall hold office until his successor is elected and qualified as provided in Article VI, Sections 158 and 159, Constitution of Alabama 1901. The judge to fill the additional judgeship shall be elected thereafter as are other circuit judges in this state. The judge elected or appointed as provided herein shall have and shall exercise all the jurisdiction, power, rights and authority, shall possess all of the qualifications, shall perform all of the duties required, and shall be subject to all the pains and penalties of such office as other judges in the same circuit. The compensation and allowances of such additional judge shall be paid in the same amount and under the same terms and in the same way as that of other judges in the sixteenth judicial circuit.

Section 7. The additional judge of the sixteenth judicial circuit provided for in this Act may appoint a bailiff and a court reporter whose qualifications, powers, duties, and authority shall be the same as such other bailiffs and reporters of the circuit court and whose compensation shall be paid in the same amount and under the same terms and in the same way as other bailiffs and reporters of the sixteenth judicial circuit.

Section 8. If any section, clause or provision of this Act shall be declared to be unconstitutional, the same shall not be held to affect any other section, clause or provision; but the same shall remain in full force and effect.

Section 9. All laws and parts of laws, either general, local or special, in conflict with the provisions of this Act are hereby repealed.

Section 10. Sections 6 and 7 of this Act shall become effective November 15, 1964, and the remainder of the Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Hammond	Mathews	Robison (Montgomery)
Bentley	Hawkins	McDow	Shelton
Carter	Hornsby	Nichols	Smith
Clark	James	Oden	Taylor
Cooper	Lolley	Reynolds	Tyson
Dumas			

—24

Nays:

—0

And said Bill, H. B. 17, as thus amended by the Substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Hammond	Mathews	Robison (Montgomery)
Bentley	Hawkins	McDow	Shelton
Carter	Hornsby	Nichols	Smith
Clark	James	Oden	Taylor
Cooper	Lolley	Reynolds	Tyson
Dumas			

—24

Nays:

—0

The Bill:

H. 156. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

Was read a third time at length and passed.

Yeas 15; Nays 4.

Yeas:

Messrs.:	Dumas	James	Nichols
Allen	Evans	Lolley	Robison (Montgomery)
Carter	Givhan	Mathews	Smith
Cooper	Hammond	McDow	Tyson

—15

Nays:

Messrs.:	Robison (Pickens)	Shelton	Wilson
Lowe			

—4

RULING OF THE CHAIR

The Chair ruled that, under the provisions of Section 76 of the Constitution, two-thirds of a quorum present having voted in favor of the passage of the Bill, H. B. 156, said Bill therefore was constitutionally passed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 159. To amend Section 19 of Act No. 108, H. 152, Regular Session, 1959, an act relating to the practice of chiropractic (Acts 1959, v. 1, p. 612).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Lowe	Roberts
Allen	Hammond	Mathews	Robison (Montgomery)
Bentley	Hornsby	McDow	Robison (Pickens)
Carter	Horton	Nichols	Shelton
Cooper	James	Oden	Smith
Dumas	Lolley	Reynolds	Tyson
Evans			—24

Nays:

—0

The Bill:

H. 193. To make an appropriation to the State Board of Chiropractic Examiners for the fiscal year ending September 30, 1965.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Lowe	Roberts
Allen	Hammond	Mathews	Robison (Montgomery)
Bentley	Hornsby	McDow	Robison (Pickens)
Carter	Horton	Nichols	Shelton
Cooper	James	Oden	Smith
Dumas	Lolley	Reynolds	Tyson
Evans			—24

Nays:

—0

The Bill:

S. 148. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Allen	Hawkins	Mathews	Roberts
Bentley	Hornsby	McCain	Smith
Carter	Horton	McDow	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Evans			—24

Nays:

—0

The Bill:

H. 221. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees

for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Pickens)	
Allen	Gilchrist	McDow	Shelton	
Bentley	Hornsby	Montgomery	Smith	
Carter	Horton	Nichols	Taylor	
Clark	James	Oden	Tyson	
Cooper	Lolley	Reynolds	Wilson	
Dumas				—24

Nays:

—0

The Bill:

H. 251. Relating to counties having populations of not less than 22,550 nor more than 24,550, authorizing an appropriation from county funds for certain purposes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Lowe	Reynolds	
Allen	Hammond	Mathews	Roberts	
Bentley	Hornsby	McCain	Robison (Montgomery)	
Carter	Horton	McDow	Taylor	
Clark	James	Nichols	Tyson	
Cooper	Lolley	Oden	Wilson	
Gilchrist				—24

Nays:

—0

The Bill:

H. 184. Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hawkins	Mathews	Robison (Pickens)	
Allen	Hornsby	McCain	Shelton	
Bentley	Horton	Montgomery	Smith	
Carter	James	Nichols	Taylor	
Clark	Lolley	Oden	Tyson	
Dumas	Lowe	Reynolds	Wilson	
Gilchrist				—24

Nays:

—0

The Bill:

H. 190. Relating to the Municipality of Hartselle, in Morgan County, Alabama: to alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Bentley	Givhan	Mathews	Robison (Montgomery)
Carter	Hammond	McCain	Smith
Clark	Hawkins	McDow	Taylor
Cooper	Hornsby	Montgomery	Tyson
Dumas	Horton	Nichols	Wilson
Evans			—24

Nays:

—0

The Bill:

H. 191. Regulating further the office of circuit solicitor of the eighth judicial circuit of Alabama; amending Section 2 of Act No. 312, S. 215, Regular Session 1955 (Acts 1955, p. 710), relating to the solicitor's fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Allen	Hammond	Mathews	Shelton
Bentley	Hornsby	McCain	Smith
Carter	Horton	McDow	Taylor
Clark	James	Nichols	Tyson
Cooper	Lolley	Oden	Wilson
Dumas			—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent to the Senate without engrossment:

By Messrs. Merrill and Cornett:

H. 10. To provide for conditional release of county prisoners; repealing conflicting laws.

Also:

By Messrs. Mashburn, Engel, Smith, Downing, Nettles, Branyon, Hankins, Hogan, Edwards (Escambia), Rogers and Fite:

H. 1. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Also:

By Mr. Avery:

H. 274. To apply in counties having populations of not less than 19,500 nor more than 20,000; providing expense allowances for the chairman or presiding judge and members of the court of county commissioners, board of revenue, or other like governing body of the county.

Also:

By Mr. Turner (Crenshaw):

H. 172. To provide expense allowance to circuit solicitors in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 10. To the Committee on Public Welfare and Correctional Institutions.

H. B.'s 1 and 172. To the Committee on Public Buildings and Grounds.

H. B. 274. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 113. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent to the Senate without engrossment:

By Mr. Bethea (M):

H. 267. To amend further Section 8 of Act No. 201, Regular Session 1955, relating to the assignment and placement of pupils in the public schools.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 267. To the Committee on Rules

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent to the Senate without engrossment:

By Mr. Mashburn:

H. 270. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census.

Also:

By Mr. Mashburn:

H. 271. Providing further for the compensation of members of the board of registrars in counties having not less than 48,500 nor more than 49,500 population according to the last or any subsequent federal decennial census.

Also:

By Mr. Drake:

H. 275. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Also:

By Mr. Jones (Monroe):

H. 283. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Also:

By Mr. Jones (Monroe):

H. 284. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Also:

By Messrs. Engel, McDermott, Edington, Fields, Hogan and Rogers:

H. 280. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer; "to provide further for the compensation of the chief clerk in the office of the sheriff.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a Bill substantially as follows will be introduced in the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide further for the compensation of the chief clerk in the office of the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerk, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," as amended is amended further to read as follows:

"Section 3. The Sheriff of Mobile County, Alabama, may, after the effective date of this act, employ the following assistants at the following rate of compensation, viz: One (1) chief deputy sheriff to receive seven thousand two hundred dollars (\$7,200) per annum; one assistant chief deputy sheriff to receive six thousand six hundred dollars (\$6,600) per annum; not less than eight (8) civil and criminal deputy sheriffs to receive not less than fifteen hundred dollars (\$1,500) each per annum; one (1) civil and criminal deputy sheriff, who shall also act as bailiff of the Inferior Court of Mobile County, Alabama, to receive not less than fifteen hundred dollars (\$1,500) per annum; three (3) part-time deputy sheriff to receive not less than six hundred dollars (\$600) each per annum; not less than four (4) jail guards to receive not less than fifteen hundred dollars (\$1,500) each per annum; one chief clerk to receive seven thousand two hundred dollars (\$7,200) per

annum; one (1) office employee to receive not less than eighteen hundred dollars (\$1,800) per annum; two (2) office employees to receive not less than fifteen hundred dollars (\$1,500) each per annum; one (1) office employee to receive not less than nine hundred dollars (\$900) per annum; one (1) jail matron to receive not less than one thousand dollars (\$1,000) per annum; one (1) kitchen steward to receive not less than nine hundred dollars (\$900) per annum. Each of the foregoing assistants shall receive their compensation in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County. The power and authority to fix the salaries of each and every assistant herein provided for above the minimum amounts named in this section is hereby conferred on the Personnel Board of the Civil Service System of Mobile County, Alabama; and all assistants affected hereby except the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be subject to all the terms and provisions of the Civil Service Act relating to Mobile County, said act having been passed at the 1939 Session and being House Bill No. 952 and having been approved September 15, 1939; provided however, that the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be qualified electors of Mobile County at the time of their appointment and during their continuance in office. The chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk shall each give bond in an amount to be determined by the Sheriff, such bond to be conditioned as prescribed by law. Nothing herein contained shall be construed as depriving the Personnel Board of the Civil Service System of Mobile County, Alabama, of authority to provide additional assistants for the Sheriff of Mobile County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, July 28, Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

Also:

By Messrs. Rogers, Edington, McDermott, Engel, Downing, Smith and Hogan:

H. 281. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the next special session of the legislature of the State of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335; is hereby amended to read as follows:

"Section 1. The judge of probate of Mobile County may, in his discretion, create and establish such administrative division in his office as he may determine necessary or convenient in the efficient and expeditious performance of the functions and duties of his office. He may assign functions and duties to such divisions, and may delegate to the chiefs thereof such powers as he may deem proper. The judge may reassign functions and duties as between existing divisions. The chiefs of such divisions shall be appointed by the judge of probate, and shall serve as his pleasure, but shall not be related to him by blood or by marriage. The salary of the chief of any such division shall be not less than \$6,000 annually and not more than \$7,500.00 annually, the amount to be fixed by the judge of probate, to be paid in equal installments, as the salaries of other county employes are paid. The chiefs of divisions provided for in this Act shall be in addition to any other clerks or assistants heretofore provided by law or approved and designated as such by the Mobile County Personnel Board. The probate judge may, in his discretion, abolish or discontinue any position existing in his office, including the office of chief clerk of the probate court of Mobile County presently provided for by statute, upon the establishment of divisions as provided in this Act, but no such position shall be abolished without his approval."

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 28, Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

Also:

By Messrs. Fields, Rogers, Edington, McDermott, Engel, Smith, Downing and Hogan:

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a Bill substantially as follows will be introduced in the next Special Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a Pension and Relief system for the regularly organized and paid members of the police and fire departments of the City of Mobile, which shall be supported, maintained and managed as hereinafter provided.

Section 2. There shall be a special fund in the treasury of the City of Mobile to be designated the Policemen's and Fire Fighter's Pension and Relief Fund which shall be set apart by the comptroller or other person performing the duties of Treasurer of the City of Mobile, and shall be held and maintained as other city funds are held and maintained except as is hereinafter provided.

Section 3. There shall be paid into such Fund, out of the treasury of the City of Mobile, an amount equal to five per cent of the amount of all fines and moneys, except costs of court, paid as a result of prosecutions for violations of ordinances or laws of the City of Mobile, which sums shall be determined and credited to the fund on a monthly basis; two per cent of the monthly salary of every member of the police and fire departments shall be deducted by the proper authority from the monthly salaries of said members of such departments and shall be transferred to the Fund monthly with record kept showing amount credited to each said member; two per cent of the monthly salary of the members of such departments which shall be contributed by the City of Mobile and credited to such Fund monthly; that portion of the assessment that may be fixed by the governing body of the City and added as cost of court in connection with prosecutions for violations of the ordinances of the City of Mobile, provided that the assessment of such costs for this purpose shall not exceed \$3, shall be collected and credited monthly to the Fund; and the Fund shall be credited with any appropriations made by the City when at any time the Fund shall be insufficient to pay the benefits and defray the expenses as provided in this Act. The Board of Commissioners or other governing body of the City of Mobile may appropriate from any funds not otherwise appropriated an amount sufficient to cover such deficiency and may in subsequent budgets provide an amount to cover any anticipated deficits in the Fund.

Section 4. The percentages paid into the City treasury as a result of convictions and prosecutions, court costs, and the sums representing matching payments by the City as provided by Section 3 of this Act are

hereby charged with and appropriated to the Policemen's and Fire Fighter's Pension and Relief Fund and shall be so credited by the comptroller or another person performing the duties of Treasurer of the City of Mobile.

Section 5. (a) Moneys may be given or donated to said Fund by any person, firm or association or corporation for the uses and purposes for which said Fund is created, and said Board of Pensions may take by gift, grant, devise or bequest, any money, personal property, real estate or any interest therein or any right of property for the benefit of such Fund; and such gift, grant, devise or bequest may be absolute or in fee-simple or upon condition that only the rents, income and profits arising therefrom shall be applied to the purposes for which said Fund is created.

(b) Trustees may be appointed by the Board of Pensions for the purpose of receiving, holding or managing any property acquired under subsection (a) hereof, if not otherwise named by the instrument of gift or legacy, and for performing duties in connection with funds or properties under control of the board, and such Trustees shall serve subject to such restrictions and conditions as may be prescribed by the Board; provided, however, no salary shall be paid from the Pension and Relief Fund herein created to any person acting as such Trustee.

Section 6. (a) Each fire insurance company doing business in the City of Mobile shall, on or before the first day of February of each year, pay to the City of Mobile for credit to said Pension and Relief Fund, a sum equal to one-half of one per cent of the gross premiums, less returned premiums, received by such fire insurance companies, or their agents, doing business in the City of Mobile for and on account of business done by it during the preceding year; provided, however, that when said insurance companies pay to the City a sum equal to four per cent of its net premiums, such companies shall not be required to pay the amount herein provided to said Pension and Relief Fund.

(b) Each such insurance company shall on or before the due date of such payment file with the Board of Commissioners or like governing body of the City a statement or report in writing, showing the gross amount of premiums less returned premiums, received by such fire insurance company for and on account of business done by it in the City during the preceding year; which statement or report shall be sworn to by the agent of such fire insurance company in the City, or some other person having knowledge of the facts; and any such fire insurance company failing to make and file such report and statement as aforesaid, shall forfeit to the City of Mobile for use of the Policemen's and Fire Fighter's Pension and Relief Fund, the sum of one thousand dollars, to be recovered against such fire insurance company violating the provisions hereof, or its agents, by suit brought in the name of the City, and all such forfeitures and penalties shall be and become a part of the Policemen's and Fire Fighter's Pension and Relief Fund.

Section 7. The Board of City Commissioners, or other like governing body of the City, is hereby authorized and empowered to set apart and pay into the Pension and Relief Fund not exceeding one per cent of all revenues collected and received by the City from licenses, provided, however, that this section shall not be compulsory.

Section 8. The Board of Pensions hereinafter created is authorized to place in banks at interest and to invest such part of the fund as is not necessarily in use, but such investments shall be limited to United States bonds, state, municipal and county bonds of Alabama. All such securities, funds and moneys shall be maintained and kept separate and apart in special accounts set aside from other moneys and securities of the City, so that they shall at all times be subject to instant use.

Section 9. (a) The Board of Commissioners or other governing body of the City shall create a Board to carry out the provisions of this Act, which shall be designated "The Board of Policemen's and Fire Fighter's Pensions of the City of Mobile", hereinafter called "The Board." The Board shall consist of five reputable persons who are bona fide residents of the City of Mobile and over the age of twenty-one years, one to be an active member of the Mobile Police Department, and one to be an active member of the Mobile Fire Department. Members of the Board shall hold office for six years and until their successors are appointed, unless sooner removed at any time for good cause by the appointing authority. No member of the Board shall receive any compensation for this.

(b) The Board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Three members of the Board shall constitute a quorum for transaction of business.

(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings, which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section 22 hereof and shall perform such other duties as may be prescribed by the Board.

(e) The Chairman of the Board of Pensions shall provide bond in the penal sum of \$25,000 conditioned upon faithful performance of his duties, the premium of which shall be paid by the City of Mobile from the General Fund.

(f) All applications for pensions and relief under this Act shall be heard and determined by the Board of Pensions.

(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term.

Section 10. All warrants drawn against the fund shall be on order of the Chairman of the Board of Pensions and shall be signed as are other warrants signed and executed by authorized authorities of the City. However, such warrants shall be different in color, or otherwise, so as to distinguish them from other City warrants drawn by said City. No portion of said Policemen's and Fire Fighter's Pension and Relief Funds shall, before or after its order for distribution, be seized or held or in any wise subject to garnishment or levy of execution or attachment issued out of or by any court of this State, or any other State, so far as any debt, damage, demand, claim, judgment or decree against any beneficiary in such funds, but shall be exempt therefrom.

Section 11. Every member of such police and fire departments shall come under the provisions and benefits of this Act, but no member of the Board of Commissioners or of other departments of the City shall be entitled to benefits hereunder.

Section 12. If any member of such police and fire department, while in the performance of his duties, becomes and is found to be temporarily totally disabled, mentally or physically, for services in such police or fire departments, by reason of service therein, the Board of Pensions

shall order the payment and there shall be paid from the fund herein provided to such disabled member an amount equal to fifty per cent of his monthly salary, but not to exceed one hundred dollars per month, during such period of total disability. Provided, however, that such member during the period of disability is paid no salary as a member of the police or fire department or any other department of the city, and provided further that such payment shall not continue beyond one year from the date of the determination of temporary total disability. Such disability shall be determined by the Board of Pensions after report from the City Physician, and such other physicians and surgeons as the Board may consult, and after the consideration of any other evidence the Board may desire to consider.

Section 13. (a) If any member of the police or fire department while in the performance of his duty is found and determined to be physically or mentally permanently disabled for service by reason of such service so as to render his retirement necessary, the Board of Pensions shall make the necessary orders and shall retire such disabled member from service. Upon such retirement the member shall be paid monthly from the Fund, an amount equal to sixty per cent of his monthly salary, the payments to be made during such disability.

(b) Should any member of such police or fire department who has served in such department for a period of fifteen years be found to be physically or mentally permanently disabled (through no misconduct on his part) for service in such police or fire departments, so as to render his retirement from such service necessary, the Board of Pensions shall make the necessary order, and shall retire such disabled member from service and upon such retirement the member shall be paid monthly from the Policemen's and Fire Fighter's Pension and Relief Fund an amount equal to fifty per cent of his monthly salary. Such members under subsection (a) and (b) herein may be called back and examined at any time under the orders of the Board of Pensions, and may be ordered back to active service, or to perform other services in connection with the City, such as he is able to perform, according to the instructions, findings and orders of the Board. While in active service, such pension will not be paid.

Section 14. Any member or former member of the police or fire department who has been in the service thereof for as long as twenty consecutive years, upon making written application to the Board of Pensions therefor, shall, without medical examination or disability, be retired from service in such police or fire department; and, upon such retirement, the said Board of Pensions shall direct the payment to such retired member monthly from the Fund herein created a sum equal to fifty per cent of the monthly compensation or salary received by such member as salary in such fire or police department at the time of his retirement; provided, however, that said payments to said retired member of the police or fire department shall not commence or be effective earlier than the fifty-fifth birthday of the member.

Section 15. (a) Any member or former member of such police or fire department who has been in the service thereof for as long as twenty-five years, the last ten years of which have been continuous, upon making written application to the Board of Pensions shall, without medical examination or disability, be retired from service of such fire or police department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-two and one half per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

(b) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty years, the last ten years of which have been continuous, upon making written application to the Board of Pensions therefor, shall without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-five per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

(c) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty five years or longer, the last ten years of which have been continuous, upon making written application to the Board of Pensions thereof shall, without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty fifth birthday of such member, monthly from such Fund, a sum equal to sixty per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

Section 16. (a) Whenever an active or retired member of such police or fire department shall die, there shall be appropriated and paid from the Fund the sum of one hundred dollars for funeral and burial expenses of such deceased member, which sum shall be used for funeral and burial expenses and paid out upon order of the Pension Board to the person or persons designated by the Chief of Police, if decedent was a member of the Police Department, or the Chief of the Fire Department, if decedent was a member of the Fire Department.

(b) Whenever a member of the police or fire department of the city shall die while an active employee thereof with fifteen years or more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, or whenever any member of the police or fire department, regardless of his or her length of service, shall die while on duty or dies before retirement as a result of injuries sustained while on duty, and in either event if such deceased employee shall leave a widow, such widow shall receive fifty per cent of the member's pension entitlement as determined on the date of death of the deceased, but not to exceed one hundred dollars (\$100.00) per month. The widow may receive such payments for the term of her life or until her remarriage, by establishing her eligibility (1) by proof of a bona fide marriage to the deceased consummated not less than one year prior to the date of death, if deceased was an active employee, or one year prior to transfer to the pension roll if deceased was a retired or disabled employee. For the purpose of this Act, proof of a common law marriage shall not be considered a bona fide marriage) (2) upon proof that the claimant and the deceased were living together as man and wife on the date of the death of deceased and had been so living for at least one year prior to the date of his death; and (3) upon supplying such annual proof of continued eligibility as may be required by the Board for continued pension.

(c) Whenever a member of the Police or Fire Departments of the City shall die while an active employee thereof with fifteen years or more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, or whenever any member of the Police or Fire Department, regardless of his or her length of service, shall die

while on duty or dies before retirement as a result of injuries sustained while on duty, and in either event if such deceased employee shall leave no widow, but shall leave an unmarried child or children under the age of eighteen on the date of his death, such child or children shall receive the widow's benefit as herein provided not to exceed one hundred dollars (\$100.00) per month, which payments shall be made through a guardian until the youngest child reaches the age of eighteen, or is married.

(d) Whenever the employment of a member of the Police or Fire Department of the City shall be terminated by death or for any other reason before eligibility for benefits has been established, the contribution of such employee to the Fund shall be refunded in lump sum without interest to the employee, his widow or children, a named beneficiary, or to his estate, as the case may be. Prior service of an employee rehired after termination and refund as herein provided shall not count toward future retirement.

Section 17. In all matters involving the disability or sickness of members of the Police or Fire Department, the Board of Pensions may cause such disabled or sick member to be examined by the City Physician, and such other reputable physicians or surgeons as it may select, who shall report to the Board in writing the result of such examination or examinations and it is hereby made the duty of the City Physician, when requested by the Board to make such examination and to report his findings as herein provided. Any member of the Police or Fire Department who refuses to allow such examinations as may be considered necessary by the Board shall, during the continuance of such refusal, be debarred from receiving any benefits whatever under this Act.

Section 18. Members of the Police and Fire Departments of the City of Mobile who shall receive the benefits of this Act shall continue to receive such benefits only during the period of their eligibility thereof, and shall submit annually and at such other times as ordered by the Board such statements or other evidence of eligibility as may be required by the Board.

Section 19. Should the Pension and Relief Fund at any time be insufficient or inadequate to pay pensions to those properly entitled to receive same, the person or persons so entitled to payments shall not file suit for payment thereof but the Board of Pensions shall have absolute discretion as to what portion of the pension shall be paid, and when there are several persons entitled to payments, and the funds are insufficient to pay them in full, the Board of Pensions shall prorate the available amount to the respective claimants. However, at no time shall the payments exceed the limits fixed in this act.

Section 20. There shall be kept by the Secretary of the Board of Pensions a book in which shall be maintained a list of retired policemen and fire fighters. Such book shall also give a full and complete history and record of the action of the said Board in retiring any and all persons under this Act and shall show the names, date of entering service in such police or fire departments, periods of employment, date of retirement and the reason for such retirement and such other information as the Board may require, including written requests from members desiring retirement.

Section 21. It shall be the duty of the City Attorney of Mobile to give advice to the Board of Pensions in all matters pertaining to the duties of the Board and the management of the Pension and Relief Fund, whenever requested to do so, and shall represent and defend the Board as its attorney in all suits and actions at law or in equity that may be brought against it or the City of Mobile in connection with its duties,

and during all suits and actions in its behalf that may be required or determined upon by the Board.

Section 22. Any member of the Police or Fire Department of the City of Mobile may elect at any time not to come within the provisions of this Act, and should he so elect, no part of his salary shall be deducted for the Pension and Relief Fund. His election must be in writing, signed by him, and filed with the Board of Pensions. Thereafter, he shall not be allowed to come within the provisions or be entitled to the benefits of this Act, unless he first makes application to the Board of Pensions, and such Board may use its discretion in the premises, but said persons shall not be credited for services in the Police or Fire Departments for the time during which he was not bound by the provisions of this Act.

Section 23. In case of any dispute arising out of this Act or any of its provisions or on any decision relating to application for benefits, the decision of the Board of Pensions shall be final. In no event shall any suit be filed against the Board of Pensions, any of its members or the Board of Commissioners or other governing authority of the City, for the recovery of any pension or to enforce any of the provisions of this Act. However, should any suit be brought on behalf of the City or the Board of Pensions, it shall be brought in the name of the City of Mobile, and not in the name of the Board of Pensions.

Section 24. All powers, duties and responsibilities related to the establishment and administration of a pension and relief system for policemen and firemen for the City of Mobile which have heretofore been exercised by the Board of Commissioners or any other board or agency of the City of Mobile for the purpose of administering such system, created under authority of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350), shall be vested in the Board of Pensions herein created and established; all funds, books, records, supplies and equipment and all other assets of any kind or nature created and used in the administration of such former pension and relief system shall be transferred to and administered by the Board of Pensions herein created; and all accrued rights and liabilities under any former pension and relief system for policemen and firemen of the City shall be retained and preserved and all obligations and duties under such former system shall be fully performed in the same manner and to the same extent by the Board of Pensions created by this Act as they would have been performed by any authority replaced by the board of pensions.

Section 25. All laws and parts of laws and specifically that part of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350) in conflict with this Act are repealed.

Section 26. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 27. This Act shall take effect October 1, 1964 and shall not have retroactive application.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register July 28 Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

Also:

By Messrs. Engel, McDermott, Edington, Fields, Hogan, Rogers, and Downing:

H. 279. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application and its passage and enactment will be made to wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance," is hereby amended to read as follows:

"Section 1. The board of Revenue and Road Commissioners or other governing body of Mobile County, is authorized and directed to appropriate from county funds, and to make available to the sheriff of Mobile County at the beginning of each fiscal year, an allowance of seven thousand dollars (\$7,000) a year, to be used by the sheriff to purchase uniforms for the use of the deputies sheriff employed in the sheriff's department. The allowance authorized herein shall be subject to the direct supervision and control of the sheriff of Mobile County, and shall be expended at his discretion and in his best judgment as to the most advantageous purchases to the county."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached

notice appeared in the issue of The Mobile Press, July 28, Aug. 4, 11, 18, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 18 day of August, 1964.

ROSALIE PERGANTIS,
Notary Public.

Also:

By Messrs. Brown (Jefferson), Gilmore, Rast, Bailes, Collins, Dominick, Locke, Perry, Vacca, Sessions, Bowers, Bethea (M), Etheredge, Bethea (B), Morrow, Meeks and Hawkins:

H. 276. To revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963, (Ala. Acts, 1963, page 963, et seq.)

Also:

By Messrs. Edington, Engel, Rogers, Downing, McDermott and Hogan:

H. 269. Relating to counties with cities having populations of not less than 200,000 nor more than 300,000; regulating further the compensation of the judge of certain inferior civil courts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 270, 271, 275, 283, 284, 280, 281, 278, 279, 276 and 269. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 122. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Also:

S. 123. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Also:

S. 85. To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

Also:

S. 100. Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

Also:

S. 101. To provide for compensation of jurors in DeKalb County.

Also:

S. 137. Relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties.

Also:

S. 107. To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

Also:

S. 104. For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for unincorporated property annexed to municipalities in such counties, and in newly incorporated areas.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 112. To authorize Alabama Trade School and Junior College Authority to sell and issue from time to time not exceeding \$15,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance

of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys herein appropriated and pledged for that purpose; to direct the State Treasurer to pay the principal of and interest on said bonds out of the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Also:

H. 113. To amend Act No. 92 adopted at the Second Special Session of 1963 of the Legislature of Alabama to provide for the collection and distribution of the proceeds of the tax levied by the said act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the ~~reading thereof at length~~ had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. J. R. 25. Relative to approving maximum speed limits on all 4-lane highways.

Also:

H. 95. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Also:

H. 97. To apply only in counties having populations of not less than 13,700 nor more than 14,300, relative to closing the office of officials in the courthouse.

Also:

H. 37. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for unincorporated property annexed to municipalities in such counties, and in newly incorporated areas.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 128. To amend Section 2, Act No. 218, H. B. 404, Regular Session 1963, an act relating to counties having populations of not less than 300,000 nor more than 500,000.

Also:

H. 129. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act N. 345, S. 291, 1955 Acts Vol. II, p. 783).

Also:

H. 130. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama, 1955, (Vol. I, p. 515), approved August 3, 1955, entitled "An Act to provide further for the compensation of the Circuit Solicitor in circuits composed of one County and having not less than four nor more than nine Circuit Judges," as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. I, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940.

Also:

H. 131. To amend Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an Act relating to the office of License Commissioner in counties having populations of not less than 300,000 or more than 500,000.

Also:

H. 47. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the

officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Also:

H. 52. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 54. To provide for the compensation to be paid the Circuit Solicitor, the First Deputy Circuit Solicitor, the Second Deputy Circuit Solicitor, the Third Deputy Circuit Solicitor, the Fourth Deputy Circuit Solicitor, the Fifth Deputy Circuit Solicitor, the Sixth Deputy Circuit Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy Circuit Solicitor appointed by the Solicitor to serve in any Juvenile Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

H. 55. To fix the compensation or salary of the judges of inferior courts having exclusive jurisdiction of juveniles in all counties having a population of 600,000 or more according to the last or any subsequent Federal census and to provide for the payment thereof.

Also:

H. 56. To fix the compensation or salary of the judges of the Jefferson County Civil Court and to regulate the payment of the salaries of said judges:

Also:

H. 61. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any subsequent federal census and to provide for the payment thereof.

Also:

H. 62. To fix the compensation or salaries of the Tax Assessors and Tax Collectors in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 63. To amend Act. No. 420, H. 931, Regular Session 1957 (Acts 1957, p. 586), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Also:

H. 64. To fix the compensation or salaries of Circuit Clerk in counties of 500,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the coun-

ty treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 65. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to designate the Deputy Probate Judge of any branch office of such Probate Court as Assistant Judge of Probate for such branch office and as Clerk-Register of such branch office; to authorize and empower the Judge of Probate in such county to delegate duties and authority to such officer, and to further provide for such office and the duties, authority and compensation for such office.

Also:

H. 66. To fix the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Also:

H. 67. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

H. 68. TO AMEND ACT NO. 502 OF THE LEGISLATURE OF ALABAMA OF 1923, APPROVED SEPTEMBER 29, 1923, (GENERAL ACTS OF ALABAMA OF 1923, PAGE 663, ET SEQ.), AS RE-ENACTED BY ACT NO. 283 OF THE LEGISLATURE OF ALABAMA OF 1943, APPROVED JUNE 28, 1943, (GENERAL ACTS OF ALABAMA OF 1943, PAGE 241 ET SEQ.), AS HERETOFORE AMENDED.

Also:

H. 69. TO AMEND ACT NO. 929 OF THE LEGISLATURE OF ALABAMA OF 1951, APPROVED SEPTEMBER 12, 1951, ACTS OF ALABAMA 1951, PAGE 1579, ET SEQ., AS HERETOFORE AMENDED.

Also:

H. 71. To apply in all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Also:

H. 73. TO APPLY IN AND ONLY IN EACH CITY IN THIS STATE HAVING A POPULATION OF 300,000 OR MORE, ACCORDING TO THE LAST OR ANY SUBSEQUENT DECENNIAL FEDERAL CENSUS; TO PROVIDE FOR THE CREATION OF THE OFFICE OF CITY MAGISTRATE AND THE APPOINTMENT OF CITY MAGISTRATES: TO DEFINE THE QUALIFICATIONS, POWERS AND DUTIES OF CITY MAGISTRATES; AND TO PROVIDE FOR SEARCH WARRANTS AND WARRANTS OF ARREST.

Also:

H. 74. To provide an additional and alternate method of issuing licenses and the paying for same in counties having a population of 500,000 or more according to the 1960 or any succeeding decennial census.

Also:

H. 75. To provide that in each criminal case, Quasi Criminal Case, proceeding on a forfeited bail bond in the Circuit Court or in each Criminal Case in any Statutory Inferior Court in Jefferson County, Alabama, there shall be taxed a witness fee or one (\$1.00) Dollar for each Deputy Sheriff subpoenaed in any such case. That such witness fee shall be collected by the clerks of the courts, and that of the total of such fees collected on account of any one Deputy Sheriff on the same day, only the sum of one (\$1.00) dollar shall be paid to said Deputy Sheriff witness, and the balance of said witness fees collected on said cases on account of Deputy Sheriff Witnesses shall be paid monthly to the Treasurer of said County for the use of and benefit of the Retirement Fund of the Retirement System established by Act Number 551 of the Legislature of Alabama of 1953, Approved September 9, 1953, General Acts of Alabama of 1953, Page 766, et seq., until benefits are being paid from said Retirement Fund at the maximum rates provided for by said Act No. 551, and to provide that thereafter the aforesaid balance of said witness fees shall be paid monthly to the treasurer of said county for the use and benefit of the Retirement Fund established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, Acts of Alabama of 1961, Pages 1250, et seq.

Also:

H. 77. To authorize the County Board of Education of any county having a population of 500,000 or more according to the last or any succeeding federal decennial census to name school buildings in honor of living persons.

Also:

H. 147. To provide for the payment of an expense allowance for certain members of the board of revenue and control, court of county commissioners, or like governing body in every county having a population of not less than 57,000 nor more than 61,500 for expenses incurred in the performance of their duties.

Also:

H. 5. To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers.

Also:

H. 98. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Also:

H. 146. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000.

Also:

H. 148. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Also:

H. 149. To extend the boundary lines of the Town of Trinity in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 151. TO AMEND SECTION 2, OF ACT NO. 258, H. 506, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX COLLECTOR OF PIKE COUNTY.

Also:

H. 150. TO AMEND SECTION 2, OF ACT NO. 259, H. 507, REGULAR SESSION 1951, AN ACT PROVIDING A DEPUTY FOR THE TAX ASSESSOR OF PIKE COUNTY.

Also:

H. 152. TO AMEND SECTION 1 OF ACT NO. 332, H. 602, REGULAR SESSION 1961, AN ACT PROVIDING FOR A CLERK OF THE JUVENILE COURT OF PIKE COUNTY (ACTS 1961, V. 1, P. 358).

Also:

H. 153. TO AMEND SECTION 2 OF ACT NO. 148, S. 185, REGULAR SESSION 1955, AN ACT PROVIDING FOR A DEPUTY CIRCUIT CLERK FOR PIKE COUNTY.

Also:

H. 157. Relating to counties having populations of not less than 65,000 nor more than 85,000; regulating the pay of election officers.

Also:

H. 158. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits composed of only one County which has a population of not less than Sixty-five Thousand (65,000) nor more than Ninety-five Thousand (95,000), according to the most recent Federal decennial census.

Also:

H. 154. To amend Act No. 218 S. 248, Regular Session 1955, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Also:

H. 105. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 49,500 nor more than 50,500 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 155. Relating to counties having populations of not less than 24,800 nor more than 25,400 according to the 1960 or any subsequent federal decennial census; providing further for elections in such counties by authorizing and providing for the use of paper ballots at certain voting places.

Also:

H. 104. Relating to Lee County; fixing the pay of jurors, grand and petit.

Also:

H. 103. Relating to Lee County; providing a monthly expense allowance for the coroner in lieu of mileage.

Also:

H. 43. To amend SECTION 3 OF ACT NO. 695 OF THE 1951 LEGISLATURE.

Also:

H. 44. To authorize the governing body of any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census, to pay the hospital bills, doctors' bills, and other medical expenses incurred by any person in securing treatment of any injuries sustained by such person while serving as an auxiliary policeman, or while assisting a policeman or policemen of such city in maintaining law and order.

Also:

H. 119. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the treasurer of Mobile County to appoint an assistant treasurer (Acts 1955, v. 1, p. 122).

Also:

H. 120. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

Also:

H. 122. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Also:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Also:

H. 125. Relating to counties having populations of not less than 300,000 nor more than 500,000; regulating the compensation of members of the courts of county commissioners, county commissions, or like county governing bodies of such counties.

Also:

H. 126. To provide additional compensation for the members of the Board of Registrars in all counties of this State having a population of not less than 300,000 nor more than 500,000, according to the 1960 or any subsequent Federal census.

Also:

H. 127. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act #315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Also:

H. 99. To alter, rearrange, and extend the boundaries of the City of Florence in Lauderdale County.

Also:

H. 101. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

H. 102. To abolish the Lauderdale County Inferior Court; provide for the transfer of cases now pending in said Lauderdale County Inferior Court to the Court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as "Lauderdale County Court"; defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Also:

H. 22. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697) entitled 'An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.'

Also:

H. 20. RELATING TO THE SHERIFF OF DALE COUNTY, PROVIDING AN ALLOWANCE FOR EMPANELING GRAND JURIES.

Also:

H. 50. To amend section 4.04 of Act No. 452, H. 974, Regular Session 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a mayor-council form of Government for all cities having a population of more than 200,000 inhabitants.

Also:

H. 51. To amend Act No. 460, H. 685, Regular Session 1961 (Acts 1961, p. 497), an act relating to the salaries of and duties of the members of the commission or board of commissioners of cities having populations of not less than 32,500 nor more than 33,500.

Also:

H. 53. To provide for the compensation to be paid the Deputy Circuit Solicitor who is elected by the people, and the Assistant Deputy Circuit Solicitor, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

H. 57. To fix the compensation or salary of the judge of the Jefferson County Criminal Court and to regulate the payment of the salaries of said judge:

Also:

H. 58. To amend Act No. 421, H. 932, Regular Session 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Also:

H. 59. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 60. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 94. Relating to Lamar County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Lamar County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

Also:

H. 48. To authorize the Mayor or other chief executive officer of any city of this State having a population of 300,000 persons or more, according to the last or any subsequent federal census to provide himself with a passenger automobile equipped with radio receiving and sending equipment and to be owned, operated and maintained for the use of such mayor all at the expense of such city.

Also:

H. 32. Regulating the compensation of election officers in counties having populations of not less than 15,417 nor more than 16,303, according to the most recent federal decennial census.

Also:

H. 46. To establish an Inferior Court in Precincts 9, 10, 21, 42, 29, 45 and 52 and all other precincts lying within or partly within the City of Birmingham in lieu of all justices of the peace in said precincts and in lieu of all notaries public with powers of Justices of the peace and with concurrent jurisdiction with all other justices of the peace and inferior courts created in lieu of justices of the peace in the Birmingham Division of Jefferson County; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election and the payment of his salary, to provide for the abolishment of the Municipal Court of Ensley, said abolishment to be effective on the first Monday after the second Tuesday in January 1969 or upon the office of the judge of said court becoming vacant due to the death or resignation of the incumbent whichever event occurs first; to provide for the transfer of all pending cases and records of the said Municipal Court of Ensley to the court created by this Act.

Also:

H. 33. To apply only in counties having populations of not less than 15,500 nor more than 16,300, relative to closing the office of officials in the courthouse.

Also:

H. 38. To amend Section 19 of Act 333, Acts of Alabama, 1953, approved August 17, 1953, relating to notices of the requirement of the attendance of Jury service in Jefferson County, Alabama.

Also:

H. 40. To authorize any municipality within any county within the State of Alabama, which county has a population of more than 400,000 inhabitants according to the last preceding or any subsequent federal census, to pay, and contract and agree with the United States of America, the State of Alabama, or any such county or any municipality within any such county, or any of them, to pay, part of the costs of establishing, constructing, reconstructing, improving or reimproving, within any such county, any public highway, overpass, underpass, bridge or causeway, or any combination thereof, whether within or without or partly within or partly without the corporate limits of the municipality making such payment or entering into such agreement or contract, and whether within or partly within the corporate limits of another municipality within any such county, provided that the governing body of the municipality making such payment or entering into such agreement or contract shall by resolution have found and determined that said municipality will be benefited thereby.

Also:

H. 42. To authorize the governing body of any county having a population of 500,000 or more according to the last or any subsequent federal census to compensate any person for any injury to him or damage to his property by a motor vehicle operated by an employee of the county in the course of his employment where the governing body finds that the negligence of said employee was the proximate cause of such injury or damage, that the person who was injured or whose property was damaged was not guilty of any negligence proximately causing said injury or damage and that the circumstances of the injury or damage were such as to make compensation just and proper; and authorizing the county governing body to provide liability insurance for such purpose.

Also:

H. 41. To amend Section 3 of Act 414 of the Legislature of Alabama of 1947 (General Act of 1947, page 304) and to further amend Sections 5 and 6 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304) as amended by Act 431 of the Legislature of Alabama of 1949 (General Acts of 1949, page 626), also to amend Section 11 of Act 414 of the Legislature of Alabama of 1947 (General Acts of 1947, page 304), which fixes, levies and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more according to the last or any subsequent federal census.

Also:

H. 49. TO PROVIDE FOR AND FIX THE SUM OF THREE HUNDRED DOLLARS PER MONTH AS AN ALLOWANCE FOR EXPENSES FOR THE MAYOR OR OTHER CHIEF EXECUTIVE OFFICER OF ANY CITY HAVING A POPULATION OF THREE HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS, FOR WHICH HE SHALL NOT BE RE-

QUIRED TO FILE AN ACCOUNTING; AND TO PROVIDE THAT SUCH MAYOR OR CHIEF EXECUTIVE OFFICER SHALL ATTEND AS THE OFFICIAL REPRESENTATIVE OF THE CITY SUCH MEETINGS AND CONFERENCES IN SAID CITY TO WHICH HE IS INVITED AND WHICH WILL IN THE OPINION OF SUCH MAYOR OR CHIEF EXECUTIVE OFFICER RESULT IN THE ADVERTISEMENT OF SUCH CITY OR ANY FUNCTION OR UNDERTAKING OF SUCH CITY.

Also:

H. 70. TO AMEND ACT NO. 556, OF THE LEGISLATURE OF ALABAMA OF 1959, APPROVED NOVEMBER 19, 1959, ACTS OF ALABAMA OF 1959, PAGE 1376 ET SEQ.

Also:

H. 76. To provide that the governing body of any city in the state having a population of 300,000 inhabitants shall have the power and authority by ordinance to grant members of such governing body money for expenses not exceeding \$11,000 per year for any fiscal year of such city.

Also:

H. 34. Relating to counties having populations of not less than 15,500 nor more than 16,300, according to the most recent federal decennial census, providing further for the compensation of the coroner in such counties.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 39. Relative to commending Robert E. Roberts of Tuscaloosa, Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 244. Relating to the Seventh Judicial Circuit and the Sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

was taken up.

Mr. Shelton offered the following amendment to the Bill, to-wit:

Amendment to H. B. 244

In the caption or title of the bill, strike out "and the Sixth Judicial Circuit"

Also, in Section 1, strike out "and the Sixth Judicial Circuit"

Also, in Section 4, Strike out "and the Sixth Judicial Circuit"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Lolley	Reynolds	
Allen	Hammond	McCain	Roberts	
Bentley	Hawkins	McDow	Shelton	
Carter	Hornsby	Montgomery	Taylor	
Clark	Horton	Nichols	Tyson	
Cooper	James	Oden	Wilson	
Dumas				—24

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Lolley	Reynolds	
Allen	Hammond	McCain	Roberts	
Bentley	Hawkins	McDow	Shelton	
Carter	Hornsby	Montgomery	Taylor	
Clark	Horton	Nichols	Tyson	
Cooper	James	Oden	Wilson	
Dumas				—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 92. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 92, to-wit:

Amendment to S. B. 92

Amend S. B. 92, Section 3, by striking therefrom the following words and figures:

"Their salaries shall be fixed by the Governor but the salary of the Executive Director shall not exceed \$8,500 a year and the salary of his Confidential Secretary shall not exceed \$7,000 a year."

Yeas 22; Nays 0.

Yeas:

Messrs.:	Gilchrist	James	Robison (Pickens)	
Carter	Givhan	Lowe	Smith	
Clark	Hammond	McCain	Taylor	
Cooper	Hawkins	McDow	Tyson	
Dumas	Hornsby	Roberts	Wilson	
Evans	Horton	Robison (Montgomery)		—22

Nays:

—0

And said Bill, as thus amended, was again read at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Gilchrist	James	Robison (Pickens)	
Carter	Givhan	Lowe	Smith	
Clark	Hammond	McCain	Taylor	
Cooper	Hawkins	McDow	Tyson	
Dumas	Hornsby	Roberts	Wilson	
Evans	Horton	Robison (Montgomery)		—22

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 77. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Also:

S. 58. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Also:

S. 59. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Also:

S. 78. To make an appropriation to the use of the White House Association.

Also:

S. 68. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Also:

S. 133. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Also:

S. 86. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 236. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:
Allen
Bentley

Carter
Clark
Cooper

Dumas
Evans
Givhan

Hammond
Hawkins
Hornsby

Horton	McCain	Robison (Montgomery)	Taylor	
James	McDow	Robison (Pickens)	Tyson	
Lolley	Reynolds	Shelton	Wilson	
Lowe	Roberts	Smith		—26
Nays:				—0

The Bill:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

Amendment to S. B. 54

S. 54 is amended by adding the words "the Alabama Masonic Home and all real and personal property of the Alabama Masonic Home" after the words "real and personal property of the Salvation Army, Inc" where the same appears together therein.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Robison (Montgomery)	
Bentley	Gilchrist	Mathews	Robison (Pickens)	
Carter	Hawkins	McCain	Shelton	
Clark	Hornsby	McDow	Smith	
Cooper	Horton	Reynolds	Tyson	
Dumas	James	Roberts	Wilson	—23

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	Lolley	Robison (Montgomery)	
Bentley	Hammond	McCain	Robison (Pickens)	
Clark	Hawkins	McDow	Shelton	
Cooper	Hornsby	Nichols	Smith	
Dumas	Horton	Reynolds	Taylor	
Evans	James	Roberts	Tyson	—24
Gilchrist				

Nays:

—0

The Bill:

H. 106. To amend the title to and Sections 1 and 2 of Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Evans	James	Robison (Montgomery)
Allen	Gilchrist	Lolley	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Carter	Hammond	McDow	Smith
Clark	Hawkins	Nichols	Taylor
Cooper	Hornsby	Reynolds	Tyson
Dumas	Horton	Roberts	—26

Nays:

—0

The Bill:

H. 107. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Horton	Robison (Montgomery)
Allen	Gilchrist	James	Robison (Pickens)
Bentley	Givhan	Lolley	Shelton
Carter	Hammond	McDow	Smith
Clark	Hawkins	Reynolds	Taylor
Cooper	Hornsby	Roberts	Tyson
Dumas			—24

Nays:

—0

RESOLUTION

Messrs. Roberts, James, Wilson, Bentley, Shelton, Cooper, Lolley, Gilchrist, Givhan, Tyson, Carter, Clark, Hammond, McDow, Allen, Horton, Hawkins, Robison (Montgomery), Evans, Robison (Pickens), Matthews, McCain, Reynolds, Smith, Dumas and Hornsby offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That we express deepest regret on learning of the disability of our esteemed, distinguished, and genial colleague, the Senator from Houston, and send him warm personal regards and best wishes for a speedy and complete recovery. We sincerely hope he soon will be able to return to duty. His absence from the Senate deprives the State of one of its most able, competent and beloved legislative leaders.

On motion of Mr. Roberts, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Goodwyn:

H. J. R. 44. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses ad-

journal today they adjourn to meet again on Wednesday, August 26, 1964, and when they adjourn on Wednesday, August 26, 1964, they adjourn to meet on Friday, August 28, 1964, and when they adjourn on August 28, 1964, they adjourn sine die.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 44, set out in the foregoing Message from the House, was taken up.

Mr. Gilchrist offered the following substitute for the Resolution, to-wit:

Substitute for H. J. R. 44

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again tomorrow, Saturday, August 22, 1964, and that when the two Houses adjourn on Saturday, August 22, they adjourn Sine Die.

On motion of Mr. Taylor, said substitute was laid on the table.

Yeas 19; Nays 8.

Yeas:

Messrs.:	Cooper	James	Nichols
Allen	Evans	Lolley	Reynolds
Bentley	Givhan	Lowe	Roberts
Carter	Hammond	Mathews	Shelton
Clark	Hawkins	McDow	Taylor

—19

Nays:

Messrs.:	Hornsby	McCain	Robison (Pickens)
Dumas	Horton	Robison (Montgomery)	Smith
Gilchrist			

—8

Mr. Robison (Montgomery) offered the following substitute for the Resolution, H. J. R. 44, to-wit:

Substitute for H. J. R. 44

Be it Resolved by the House the Senate concurring that when the two houses adjourn today they adjourn Sine Die.

On motion of Mr. Nichols, said substitute was laid on the table.

Yeas 20; Nays 8.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Allen	Givhan	Lowe	Roberts
Bentley	Hammond	Mathews	Shelton
Carter	Hawkins	McDow	Taylor
Clark	James	Nichols	Tyson
Cooper			

—20

Nays:

Messrs.:	Hornsby	McCain	Robison (Pickens)	
Dumas	Horton	Robison (Montgomery)	Smith	
Gilchrist				—8

Mr. Robison (Pickens) offered the following substitute for the Resolution, H. J. R. 44, to-wit:

Substitute for H. J. R. 44

Be it Resolved by the House the Senate concurring that when the two houses adjourn today they adjourn to meet again on Tuesday, August 25th & when the two houses adjourn Tuesday, August 25th they adjourn Sine Die.

On motion of Mr. Cooper, said substitute was laid on the table.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Cooper	Hawkins	Reynolds	
Allen	Dumas	James	Roberts	
Bentley	Evans	Lolley	Shelton	
Carter	Givhan	Lowe	Taylor	
Clark	Hammond	McDow	Tyson	—19

Nays:

Messrs.:	Horton	Nichols	Robison (Pickens)	
Gilchrist	Mathews	Robison (Montgomery)	Smith	
Hornsby	McCain			—9

Mr. Cooper offered the following substitute for the Resolution, H. J. R. 44, to-wit:

Substitute for H. J. R. 44

Be it Resolved by the Legislature of Alabama both Houses thereof concurring: That when the two Houses adjourn today they adjourn to meet again on Tuesday, Aug. 25, 1964; and when they adjourn on Tuesday, Aug. 25, 1964, they adjourn to meet again on Thursday, Aug. 27, 1964; and when they adjourn on Thursday, August 27, 1964, they adjourn sine die.

Mr. Robison (Montgomery) moved that the substitute be laid on the table, which motion was lost.

Yeas 11; Nays 17.

Yeas:

Messrs.:	Gilchrist	McCain	Roberts	
Bentley	Hornsby	Nichols	Robison (Montgomery)	
Dumas	Horton	Reynolds	Robison (Pickens)	—11

Nays:

Messrs.:	Evans	Lolley	Shelton	
Allen	Givhan	Lowe	Smith	
Carter	Hammond	Mathews	Taylor	
Clark	Hawkins	McDow	Tyson	
Cooper	James			—17

And said Substitute for the Resolution, H. J. R. 44, was then adopted by the Senate.

Yeas 20; Nays 8.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Allen	Givhan	Lowe	Roberts
Bentley	Hammond	Mathews	Shelton
Carter	Hawkins	McDow	Taylor
Clark	James	Nichols	Tyson
Cooper			

—20

Nays:

Messrs.:	Hornsby	McCain	Robison (Pickens)
Dumas	Horton	Robison (Montgomery)	Smith
Gilchrist			

—8

And said Resolution, as thus amended by the substitute, was then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent to the Senate without engrossment:

By Messrs. Fite and Brewer:

H. 277. To amend Section 103 of Title 13, 1940 Code of Alabama, as amended, relating to the salary of Judges of the Court of Appeals.

Also:

By Messrs. Bailes, Collins, Hawkins, Brown (Jefferson), Vacca, Sessions and Meade:

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Also:

By Messrs. Engel, McDermott, Edington, Rogers, Downing and Hogan:

H. 282. To provide for the levy and collection by the governing body of Mobile County, if and when approved by a majority of the qualified electors of Mobile County participating in a referendum election, of an annual license tax and registration fee in the amount of \$10.00 upon every self-propelled motor vehicle, as defined in Section 692, Title 51, Code of Alabama of 1940, as amended, owned by any individual who is a resident of Mobile County and upon every self-propelled motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County; for the exemption of such motor vehicles owned and used by the State and Counties and municipalities of the State; for the proration of and for the time and manner for the payment of the license tax and registration fee; for providing for the enforcement of the Act and for penalties and fines for violation thereof; for authorizing the

governing body of Mobile County to adopt and promulgate rules and regulations and to pay all expenses and costs necessary for or incidental to the collection and enforcement of the license tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the entire proceeds of said tax and fee shall be paid to and used solely for public hospital purposes by the Mobile County Hospital Board; to provide for the method and time of holding such referendum election or elections.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the levy and collection by the governing body of Mobile County, if and when approved by a majority of the qualified electors of Mobile County participating in a referendum election, of an annual license tax and registration fee in the amount of \$10.00 upon every self-propelled motor vehicle, as defined in Section 692, Title 51, Code of Alabama of 1940, as amended, owned by any individual who is a resident of Mobile County and upon every self-propelled motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County; for the exemption of such motor vehicles owned and used by the State and Counties and municipalities of the State; for the proration of and for the time and manner for the payment of the license tax and registration fee; for providing for the enforcement of the Act and for penalties and fines for violation thereof; for authorizing the governing body of Mobile County to adopt and promulgate rules and regulations and to pay all expenses and costs necessary for or incidental to the collection and enforcement of the license tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the entire proceeds of said tax and fee shall be paid to and used solely for public hospital purposes by the Mobile County Hospital Board; to provide for the method and time of holding such referendum election or elections.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Mobile County is authorized to levy, in addition to all other taxes, licenses and fees of every kind now imposed by law, an annual license tax and registration fee in an amount of \$10.00 upon every self-propelled motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, which is owned by any individual who is a resident of Mobile County and upon every such vehicle used or operated in said County and owned by any corporation, firm or association, which has an office or place of business in said County (herein referred to as the "tax and fee"); provided, however, that the levy of such tax and fee shall have been ap-

proved by a majority of the qualified electors of Mobile County participating in a referendum election or elections held from time to time, as provided in Section 9.

Section 2. Motor vehicles owned and used by the State, and Mobile County or municipalities of Mobile County, shall not be liable for the payment of the tax and fee authorized by this Act.

Section 3. Self-propelled motor vehicles brought into Mobile County or new self-propelled motor vehicles, for which licenses have never been issued, sold from the stock of a dealer during any tax year to any person subject to the annual tax and fee authorized by this Act, during the following periods, or portions of any tax year, shall be subject to the annual tax and fee authorized by this Act, as follows:

(a) For the period from and including the first day of October; but before the first day of January following, the full tax and fee;

(b) For the period after the last day of December, but before the first day of April following, three-fourths ($\frac{3}{4}$) of the tax and fee;

(c) For the period after the last day of March but before the first day of July following, one-half ($\frac{1}{2}$) of the tax and fee; and

(d) For the period after the last day of June but before the first day of October following, one-fourth ($\frac{1}{4}$) of the tax and fee.

Section 4. The License Commissioner of Mobile County shall collect the annual tax and fee authorized by this Act from the owner of such motor vehicle at the time he collects the State license and registration fee levied on such motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama of 1940, or any laws amendatory thereof or supplementary thereto, and shall maintain complete records of each transaction on forms to be prescribed and furnished by the governing body of Mobile County, but the License Commissioner shall not be allowed, nor shall he retain or collect, any fee for collecting the fee. Until the tax and fee has been paid, the License Commissioner shall not issue a motor vehicle license tag for use on any such motor vehicle upon which the tax and fee is imposed pursuant to this Act.

Section 5. The tax and fee shall become due and be delinquent at the same time as the State license and registration fee levied on motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama of 1940, or any laws amendatory thereof or supplementary thereto, next following the levy of said tax and fee by the governing body of Mobile County, and on the same day in each year thereafter. No motor vehicle upon which the tax and fee is imposed shall be operated upon the public highways of Mobile County until said tax and fee shall have been paid, as herein provided. The purchaser of any self-propelled motor vehicle shall have four days from the date of acquisition within which to pay the tax and fee.

Section 6. Any state, county or municipal law enforcement officer or license inspector is authorized to issue citations to persons failing to comply with the provisions of this Act. Any person failing to pay the said tax and fee, as herein provided, shall, upon payment, pay a penalty of twenty-five dollars in addition to the tax and fee and shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars and not exceeding one hundred dollars for each offense, which penalties and fines shall be paid and used as the tax and fee.

Section 7. The governing body of Mobile County shall have the power and authority to adopt and promulgate rules and regulations necessary for the collection and enforcement of the tax and fee. All the

expenses and costs for collecting, administering, enforcing and providing the evidence of the payment of the tax and fee shall be paid for by Mobile County.

Section 8. The proceeds of the tax and fee shall be paid over to the Mobile County Hospital Board within ten days after the end of each month; provided, however, that for the months of October, November and December of each calendar year, the License Commissioner shall be granted an additional period of ten days in which to make the remittances and payments required hereunder. Such proceeds shall be used by the Mobile County Hospital Board for public hospital purposes, as defined in the Act and in the Certificate of Incorporation under and by which it was incorporated. The License Commissioner shall keep the receipts from the tax and fee separate and apart from all other funds and shall keep a clear and distinct account thereof and shall turn the same over to the Mobile County Hospital Board, as herein provided, whose duty it shall be to receipt therefor.

Section 9. The governing body of Mobile County is authorized to call and provide for the holding of a referendum election from time to time for the purpose of determining the sentiment of the qualified electors of Mobile County on the question of whether the governing body of Mobile County may levy the annual tax and fee upon every self-propelled motor vehicle, as defined herein, and must call any such referendum election within three months after the receipt by the said governing body (a) of a certified copy of a resolution duly adopted by the Mobile County Hospital Board, or (b) of a petition signed by not less than five per cent of the qualified electors of Mobile County, calling for such referendum election. The governing body of Mobile County shall declare the results of each referendum election. All elections held under the provisions of this Act shall be called, held, conducted and canvassed and may be contested in the same manner as provided by law for county bond elections, provided, however, the notice of election need be published only once a week in each of two consecutive weeks, the first such publication to be not less than ten days prior to the date of election, it being the intention hereof that the power of the governing body of Mobile County to call elections hereunder, and its duty to call them upon receipt of the resolutions or petitions as herein provided, shall be continuous, subject only to the requirement that not more than one referendum election may be held hereunder during any period of twelve consecutive months.

Section 10. All laws and parts of laws in conflict with any provision of this Act are hereby repealed.

Section 11. If any section, clause or provision of this Act shall be, or be declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 12. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor or upon its otherwise becoming law.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, Aug. 1, 3, 10, 17, 1964.

W. F. EGAN.

Sworn to and subscribed before me This 17th day of Aug., 1964.

ROSALIE PERGANTIS,
Notary Public.

Also:

By Mr. Merrill:

H. 11. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 277. To the Committee on Judiciary.

H. B.'s 264 and 11. To the Committee on Public Buildings and Grounds.

H. B. 282. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent to the Senate without engrossment:

By Mr. Blanton:

H. 210. To amend Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to authorize any relative of a child to appoint by his last will and testament the mother or father as guardian; and giving the amendment retroactive effect.

Also:

By Messrs. Vacca, Gilmore, Bowers and Sessions:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 210. To the Committee on Judiciary.

H. B. 84. To the Committee on Aviation and Traffic.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the following House Joint Resolution:

H. J. R. 44. Relative to adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 16. Relative to expressing regret on learning of the disability of our esteemed, distinguished, and genial colleague, the Senator from Houston.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

By Messrs. Cook and Bassett:

H. 17. To authorize and provide for additional circuit court judges in the 12th and 16th judicial circuits, and to prescribe the qualifications, compensation, powers, duties, and authority of such judges.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 244. Relating to the Seventh Judicial Circuit; providing for an additional circuit court judge in such circuit.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assessment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 31. Relating to justice of the peace courts in counties having populations of not less than 96,000 nor more than 106,000; to restore to or reconfer on certain justices of the peace and notaries public ex officio justices of the peace within such counties certain jurisdiction withdrawn and taken away from them by local acts.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

JOHN W. PEMBERTON,
Clerk.

MOTION TO ADJOURN

At 1:50 P.M., Mr. Carter moved that the Senate adjourn until Tuesday, August 25, 1964, at 12 o'clock Noon, which motion was lost.

Yeas 2; Nays 21.

Yeas: Messrs. Carter and Lowe

—2

Nays:

Messrs.:	Hammond	McCain	Robison (Montgomery)
Bentley	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Nichols	Smith
Cooper	Horton	Reynolds	Taylor
Dumas	Lolley	Roberts	Tyson
Evans	Mathews		

—21

BILLS ON THIRD READING RESUMED

The Bill:

H. 142. To authorize and require the expenditure of funds in the Public Welfare Trust Fund, created by Title 49, Section 17, Sub-section 27 of the Code of Alabama of 1940, to provide Juvenile Court probationary services in all those counties in which Juvenile Court probationary service is not furnished by the State Department of Pensions and Security and to authorize the matching of funds with local counties employing Juvenile Court Probation Officers.

Was read a third time at length and passed.

Yeas 20; Nays 2.

Yeas:

Messrs.:	Hawkins	McCain	Robison (Montgomery)
Bentley	Hornsby	McDow	Robison (Pickens)
Dumas	Lolley	Nichols	Smith
Evans	Lowe	Reynolds	Taylor
Gilchrist	Mathews	Roberts	Tyson
Givhan			

—20

Nays: Messrs. Carter and Cooper

—2

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000, providing civil service or merit system status for chiefs of police of such cities.

And requests a Committee on Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Engel, Hogan and Rogers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 137, the title of which is set out in the foregoing Message from the House.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Tyson, Gilchrist and Horton.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 85. To amend Act No. 418, H. 908 of the Acts of the Legislature 1961; by abolishing the position of Solicitor of the DeKalb County Court; To repeal Sections 18 and 19 of Act No. 418, H. 908, pages 441 and 442, Acts of the Legislature of Alabama 1961; To recreate the office of Deputy Solicitor for DeKalb County, Alabama, as provided for in Section 256 of Title 13, Code of Alabama, 1940, and to fix the salary of the deputy solicitor for DeKalb County, Alabama.

Also:

S. 100. Relating to DeKalb County; regulating and providing for the payment of compensation of election officers.

Also:

S. 101. To provide for compensation of jurors in DeKalb County.

Also:

S. 104. For the relief of Willie B. Williams; authorizing the governing body of Madison County to appropriate county funds for that purpose.

Also:

S. 107. To permit any bank, having a combined capital and surplus of \$100,000 or more and having an authorized office or place of business in any city or town in Madison County, to establish and operate and maintain additional offices or places of business in such county upon obtaining the approval of the Superintendent of Banks.

Also:

S. 113. Relating to education; authorizing and providing for the acquisition, operation, and maintenance of Southern Union College as a state educational institution, and making an appropriation in furtherance of such purpose.

Also:

S. 122. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Also:

S. 123. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Also:

S. 137. Relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

S. 93. Relating to taxation, providing certain exemptions from the state sales and use taxes.

was taken up.

Mr. Tyson offered the following substitute for the Bill, to-wit:
Substitute for S. B. 93

A BILL
TO BE ENTITLED
AN ACT

Relating to taxation, providing exemptions from the State Sales Tax Law and the State Use Tax Law for fabricated steel sections for any tunnel for highway vehicular traffic, and component parts thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The gross proceeds of the sale or sales of steel fabricated in the state to be used in tubes, sections or other structures for any tunnel for highway vehicular traffic, when sold by the manufacturer or fabricator thereof, and also the gross proceeds of the sale or sales of steel which enter into and become a component part of such fabricated steel tube sections, shall be exempted from the provisions of the State Sales Tax Law and the State Use Tax Law, and from the computation of the amount of the tax levied, assessed or payable under said State Sales Tax Law (being Act No. 100, H. 94, Second Special Session, approved August 18, 1959), and said State Use Tax Law (Article 11 of Chapter 20, Title 51, Alabama Code of 1940 as amended).

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 12; Nays 6.

Yeas:

Messrs.:	Evans	Hawkins	McDow
Allen	Gilchrist	Hornsby	Robison (Pickens)
Clark	Hammond	Lolley	Tyson
Cooper			—12

Nays:

Messrs.:	Horton	Roberts	Shelton
Bentley	Nichols	Robison (Montgomery)	—6

And said Bill, S. B. 93, as thus amended by the substitute, was then read a third time at length and passed, the Chair having ruled that two-thirds of a quorum present voted in favor of the Bill, and said Bill was ordered sent forthwith to the House without engrossment:

Yeas 13; Nays 5.

Yeas:

Messrs.:	Evans	Lolley	Robison (Pickens)
Allen	Gilchrist	Lowe	Taylor
Clark	Hammond	McDow	Tyson
Cooper	Hawkins		—13

Nays:

Messrs.:	McCain	Robison (Montgomery)	Shelton
Horton	Nichols		—5

The Bill:

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

was taken up.

ADJOURNMENT

At 2:32 P.M., on motion of Mr. Shelton, pending further consideration of H. B. 134, the Senate adjourned until Tuesday, August 25, 1964, at 2 o'clock P.M.

TWELFTH LEGISLATIVE DAY

TUESDAY, AUGUST 25, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	Horton	Roberts
Allen	Evans	James	Robison (Montgomery)
Bentley	Gilchrist	Lowe	Robison (Pickens)
Carter	Givhan	Mathews	Shelton
Clark	Hammond	McCain	Taylor
Cooper	Hawkins	Nichols	Tyson
Dumas	Hornsby	Reynolds	

—26

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eleventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. McCAIN,
Chairman

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Eleventh Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams, Brannan, Lolley, McDow, Metcalf, Montgomery, Oden, Smith and Wilson for today.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Fite and Brewer:

H. 277. To amend Section 103 of Title 13, 1940 Code of Alabama, as amended, relating to the salary of Judges of the Court of Appeals.

By Mr. Blanton:

H. 210. To amend Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to authorize any relative of a child to appoint by his last will and testament the mother or father as guardian; and giving the amendment retroactive effect.

Mr. Dumas, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bailes et al:

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

By Mr. Merrill:

H. 11. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings.

By Mr. Mashburn et al:

H. 1. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Bethea (M):

H. 267. To amend further Section 8 of Act No. 201, Regular Session 1955, relating to the assignment and placement of pupils in the public schools.

Mr. Hawkins, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn et al:

H. 141. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brown (Jefferson) et al (with notice and proof):

H. 220. To alter, rearrange, and extend the boundaries of the City of Bessemer in Jefferson County, providing for a referendum election to determine whether the Act will become effective.

By Mr. Edington et al:

H. 269. Relating to counties with cities having populations of not less than 200,000 nor more than 300,000; regulating further the compensation of the judge of certain inferior civil courts.

By Mr. Mashburn:

H. 270. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census.

By Mr. Mashburn:

H. 271. Providing further for the compensation of members of the board of registrars in counties having not less than 48,500 nor more than 49,500 population according to the last or any subsequent federal decennial census.

By Mr. Avery:

H. 274. To apply in counties having populations of not less than 19,500 nor more than 20,000; providing expense allowances for the chairman or presiding judge and members of the court of county commissioners, board of revenue, or other like governing body of the county.

By Mr. Drake:

H. 275. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

By Mr. Brown (Jefferson) et al:

H. 276. To revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963, (Ala. Acts, 1963, page 963, et seq.)

By Mrs. Fields et al (with notice and proof):

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

By Mr. Engel et al (with notice and proof):

H. 279. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

By Mr. Engel et al (with notice and proof):

H. 280. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer;" to provide further for the compensation of the chief clerk in the office of the sheriff.

By Mr. Rogers et al (with notice and proof):

H. 281. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

By Mr. Jones (Monroe):

H. 283. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

By Mr. Jones (Monroe):

H. 284. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Locke, Meeks and Bailes:

H. 182. To provide for removal of prisoners from one municipal jail to another jail under certain specified conditions.

Mr. Bentley, Chairman of the Standing Committee on Aviation and Traffic, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Vacca et al:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. 58. To amend Section 3, of Act 515, approved July 9, 1945, as amended to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Also:

S. 59. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Also:

S. 68. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Also:

S. 77. To amend further Code of Alabama 1940, Title 47, Section 131, in relation to recordation of conditional sales contracts and other contracts affecting title to personalty.

Also:

S. 78. To make an appropriation to the use of the White House Association.

Also:

S. 86. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Also:

S. 92. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Also:

S. 133. To amend Sections 1, 8 and 9 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, industries for the manufacturing, processing or assembling of mineral products as well as agricultural or manufactured products; to specify with particularity that any project acquired by any such industrial development board may be located within or without or partially within and partially without the corporate limits of the "parent" municipality authorizing the organization of such industrial development board; to provide that no such project or part thereof shall be located more than twenty-five miles from the corporate limits of such authorizing or "parent" municipality; to provide that in no event shall any such project or part thereof be located within the corporate limits of any other city or town in this state; to provide that no such project or part thereof may be located within the police jurisdiction of any other city or town in this state, or in a county other than that (or those) in which such authorizing or "parent" municipality (or part thereof) is situated, unless the governing body of such city, town or county, as the case may be, has first consented thereto; to make it clear that projects may be acquired by construction as well as by the other means provided in said act; and to make it clear that subsequent issues of bonds may be on a parity with prior issues if the right was reserved to make parity pledges in the proceedings authorizing the prior issues.

Also:

S. J. R. 16. Expressing regret as to the disability of the Senator from Houston.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTIONS

Mr. Nichols offered the following Senate Joint Resolution, to-wit:

S. J. R. 17. WHEREAS Governor Wallace called the Legislature into special session for the purpose of enacting constructive redistricting action, and the failure to enact such legislation would have resulted in hundreds of thousands of wasted tax dollars to the taxpayers of Alabama. With final approval of a congressional redistricting bill, perhaps now the political air will be cleared of some misconceptions concerning this vitally needed legislation; and

WHEREAS we do not believe that the public will be deceived by the spurious argument that a redistricting bill at this time favors one group of candidates rather than another, when nothing could be further from the truth. The same rules apply that have always applied throughout the history of Alabama. The candidate who receives the majority vote in his district will represent that district in Congress next January, be he Democrat or Republican. These have always been the accepted rules of politics under our system of government. Any candidate

not capable of facing these facts and facing the voters of the district which he seeks to represent, ought not to be in politics in the first place; and

WHEREAS redistricting has been a major problem with which our state has been confronted for several years, now resulting in a tremendous drain in tax dollars and congressional services to our people. The magnitude and scope of the difficulties associated with redistricting are recognized by the members of this body, and great credit belongs to all those who rose above narrow political bickering in order to help the Legislature act constructively on this issue; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Governor Wallace be commended for his farsighted action in urging enactment of redistricting legislation at this time, and that special appreciation of the people of our state be extended to Congressman Armistead Selden whose statesman-like acceptance of the majority will of the Legislature was in the best tradition of sound, conservative, and dedicated public service.

On motion of Mr. Nichols, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Nichols offered the following Senate Joint Resolution, to-wit:

S. J. R. 18. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Thursday, August 27, 1964; and when they adjourn on Thursday, they adjourn Sine Die.

On motion of Mr. Nichols, the Rules were suspended and the Resolution was adopted by the Senate.

Yeas 18; Nays 2.

Yeas:

Messrs.:	Cooper	Hawkins	Nichols
Allen	Dumas	Hornsby	Reynolds
Bentley	Eddins	James	Shelton
Carter	Evans	Lowe	Taylor
Clark	Givhan	McCain	

—18

Nays: Messrs. Robison (Montgomery) and Robison (Pickens) —2

Mr. Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. BE IT RESOLVED by the Senate of the State of Alabama, the House of Representatives concurring that:

WHEREAS, the Alabama State Bar at its annual meeting in July 1964 adopted the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Alabama State Bar recommends the adoption by the Alabama Legislature of the Uniform Commercial Code and that the committee of the Bar heretofore appointed to study and make recommendations as to the adoption of the Code in Alabama be, and the same is hereby, authorized and directed to prepare in cooperation with other interested organizations a draft of a bill embodying the Code and arrange for its presentation for enactment at the next regular session of the Alabama Legislature in 1965.

WHEREAS, the consideration of the Uniform Commercial Code by the Alabama Legislature in 1965 will be materially facilitated by the appointment of an interim legislative committee at this time which can give continuing study and consideration to the problems of drafting and adopting the Code to the present law of Alabama.

THEREFORE, BE IT RESOLVED:

1. There is hereby established an interim legislative committee on the Uniform Commercial Code, which shall consist of nine members, of whom four shall be appointed from the Senate by the President of the Senate and five of whom shall be appointed from the House of Representatives by the Speaker.

2. The committee shall elect a chairman, and shall meet at the call of the chairman or at such times and places as it may determine, and shall hold such hearings and conferences with representatives of the Alabama State Bar, the Alabama Banker's Association, and other interested groups and individuals, as the committee deems advisable for the purpose of considering the effects of the adoption of the Uniform Commercial Code in this state, and shall assist in the preparation of a bill embodying the Code for introduction in the 1965 regular session of the Legislature. The committee shall cause the bill so prepared and approved to be printed in sufficient numbers for such distribution as the committee shall determine. The committee shall serve until time as it makes its report and recommendations to the 1965 regular session with respect to the Uniform Commercial Code.

3. The members of the committee shall serve without compensation.

Which was read and referred to the Standing Committee on Rules.

Mr. Carter offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. WHEREAS, the American Legion and Auxiliary, Department of Alabama have performed an exemplary service to the citizens of the Great State of Alabama and to the Nation, and

WHEREAS, the American Legion and Auxiliary, Department of Alabama have always enthusiastically, ardently and most effectively supported commemoration of the wartime victories of this Nation and the heroes of this Great State, and

WHEREAS, the Legion and Auxiliary, comprising 40,000 Alabama citizens, will further promulgate that faith in support of our Great State, and

WHEREAS, a direct effect, and most noteworthy cause to the citizenry of the Great State of Alabama will be made by the Legion and Auxiliary in a statewide fund drive on October 3, 1964, in support of the enshrinement of our namesake battleship, the USS ALABAMA, now therefore, be it

RESOLVED, That both houses of the State Legislature of this Great State of Alabama, concurrently in session, do hereby commend the American Legion and Auxiliary, Department of Alabama, for their exemplary efforts in behalf of the enshrinement of the USS ALABAMA, and for their service to the citizens of this Great State.

On motion of Mr. Carter, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you the Body in which this Bill originated, Senate Bill 13, with a suggested Executive Amendment.

Amend Section 1 of Senate Bill 13 by striking therefrom Sub-Section (C) in its entirety, and substitute therefor Sub-Section (C), to read as follows:

"(C) or at any time during the probationary period, or any extension thereof, may, upon motion of defendant, set aside the plea of guilty or verdict of guilty and grant a new trial and try the case, provided defendant has complied with the conditions of such probation."

This suggested executive amendment is made with the full knowledge and approval of the author of said bill, and if adopted my objection to the bill will be removed.

Respectfully,

GEORGE C. WALLACE,
Governor

GOVERNOR'S MESSAGE

On motion of Mr. McCain, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

which said executive amendment is set out in the foregoing Message from the Governor.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dumas	James	Roberts
Allen	Eddins	Lowe	Robison (Montgomery)
Bentley	Evans	McCain	Robison (Pickens)
Carter	Hammond	Nichols	Shelton
Clark	Hawkins	Reynolds	Taylor
Cooper	Hornsby		

—21

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 13, as amended by the Executive Amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dumas	James	Roberts
Allen	Eddins	Lowe	Robison (Montgomery)
Bentley	Evans	McCain	Robison (Pickens)
Carter	Hammond	Nichols	Shelton
Clark	Hawkins	Reynolds	Taylor
Cooper	Hornsby		

—21

Nays:

—0

which was a majority of the whole number elected to the Senate.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Taylor, further consideration of the Bill, H. B. 198, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 17. To authorize and provide for additional circuit court judges in the 12th and 16th judicial circuits, and to prescribe the qualifications, compensation, powers, duties, and authority of such judges.

Also:

H. 18. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Littleville in Colbert County, Alabama.

Also:

H. 25. To apply only in counties having populations of not less than 28,000 nor more than 30,575, authorizing such counties to make certain temporary loans.

Also:

H. 29. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the Town of Rainbow City, Etowah County, Alabama.

Also:

H. 30. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory now embraced within the City of Glencoe, Etowah County, Alabama.

Also:

H. 31. Relating to justice of the peace courts in counties having populations of not less than 96,000 nor more than 106,000; to restore to or reconfer on certain justices of the peace and notaries public ex officio justices of the peace within such counties certain jurisdiction withdrawn and taken away from them by local acts.

Also:

H. 35. Relating to counties having a population of not less than 21,988 nor more than 22,000; and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such a salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Also:

H. 100. Relating to Lauderdale County; levying a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars; prescribing the rate thereof and providing for the enforcement and collection of the tax and the distribution of the proceeds therefrom.

Also:

H. 106. To amend the title to and Sections 1 and 2 of Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

Also:

H. 92. TO PROVIDE THAT ANY CITY OR TOWN IN THE STATE HAVING A COMMISSION FORM OF GOVERNMENT MAY COME WITHIN AND BE GOVERNED BY THE PROVISIONS OF THIS ACT UPON THE ADOPTION AND PUBLICATION OF AN ORDINANCE BY THE GOVERNING BODY THEREOF ELECTING SO TO DO; TO PROVIDE THAT THE MEMBERS OF THE GOVERNING BODY SERVING AT THE TIME OF THE ADOPTION OF SUCH ORDINANCE SHALL CONTINUE TO SERVE UNTIL THE QUALIFICATION OF THEIR SUCCESSORS; TO PROVIDE THAT ALL LAWS, ORDINANCES, RESOLUTIONS, AND APPOINTMENTS IN FORCE WHEN THE MUNICIPALITY COMES UNDER THIS ACT SHALL REMAIN IN FORCE UNTIL REPEALED OR ALTERED; TO PROVIDE FOR THE ELECTION AND TERM OF OFFICE OF COMMISSIONERS; TO ESTABLISH THE QUALIFICATIONS OF CANDIDATES FOR COMMISSIONERS POSITIONS; TO PROVIDE FOR THE DISTRIBUTION OF THE POWERS OF THE MUNICIPALITY AMONG THE COMMISSIONERS; TO PROVIDE FOR MEETINGS OF THE BOARD OF COMMISSIONERS AND THE MANNER OF ADOPTING ORDINANCES AND RESOLUTIONS; TO PROVIDE THAT NO FRANCHISE, LEASE OR RIGHT SHALL BECOME EFFECTIVE UNTIL THIRTY DAYS AFTER THE GRANTING THEREOF; TO PROVIDE FOR THE ELECTION OF A RECORDER; TO REQUIRE THE POSTING OF A BOND BY COMMISSIONERS; TO PROHIBIT COMMISSIONERS FROM HOLDING OTHER PUBLIC OFFICES; TO PROHIBIT ANY COMMISSIONER, OFFICER OR EMPLOYEE OF THE MUNICIPALITY FROM HAVING ANY INTEREST IN ANY CONTRACT WITH THE MUNICIPALITY; TO BAR PERSONS RELATED TO ANY COMMISSIONER FROM HOLDING PUBLIC OFFICE; TO PROVIDE PUNISHMENT FOR VIOLATION OF SUCH PROHIBITIONS; TO REQUIRE THE PUBLICATION OF FINANCIAL REPORTS OF THE MUNICIPALITY; TO PROVIDE FOR THE FILLING OF ANY VACANCIES THAT MAY OCCUR IN THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE SALARIES OF COMMISSIONERS AND OTHER DISBURSEMENTS OF THE MUNICIPALITY; TO PROVIDE THAT MEETINGS OF THE BOARD OF COMMISSIONERS SHALL BE OPEN TO THE PUBLIC; TO PROVIDE A MANNER FOR CHANGING THE FORM OF GOVERNMENT OF THE MUNICIPALITY; TO PROVIDE FOR THE

PRESENTATION OF A PETITION CALLING FOR THE RESIGNATION OF A COMMISSIONER, AND TO ESTABLISH REQUIREMENTS FOR THE SIGNING THEREOF; TO PROVIDE A FEE FOR THE JUDGE OF PROBATE FOR EXAMINING SUCH PETITION; TO PROVIDE A PENALTY FOR VIOLATION OF THE RESTRICTIONS ON SIGNING SUCH A PETITION; TO PROVIDE FOR AN ELECTION TO RECALL A COMMISSIONER AND FOR THE ELECTION OF HIS SUCCESSOR; AND TO STATE THE METHOD FOR ASCERTAINING QUALIFIED VOTERS IN MUNICIPALITIES SITUATED IN MORE THAN ONE COUNTY.

Also:

H. 107. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

Also:

H. 115. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission and to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

Also:

H. 118. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

Also:

H. 156. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

Also:

H. 159. To amend Section 19 of Act No. 108, H. 152, Regular Session 1959, an act relating to the practice of chiropractic (Acts 1959, v. 1, p. 612).

Also:

H. 163. To apply in counties having populations of not less than 14,400 nor more than 14,900, providing expense allowances for members and officers of the court of county commissioners, board of revenue, or other like county governing body.

Also:

H. 164. Relating to counties having populations of not less than 14,400 nor more than 14,900; fixing the compensation of the coroner.

Also:

H. 165. To apply in counties having populations of not less than 14,500 nor more than 14,900: regulating the compensation of the county superintendent of education.

Also:

H. 171. To provide for the collection and enforcement by the state department of revenue of certain privilege license taxes levied or assessed by the city of Anniston, Calhoun County.

Also:

H. 184. Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue.

Also:

H. 187. Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and the prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County.

Also:

H. 188. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 130,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit, but shall be payable from the benefits secured for, or on behalf of the persons for whose benefit any such suit was successfully prosecuted; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

Also:

H. 190. Relating to the Municipality of Hartselle, in Morgan County, Alabama: to alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Also:

H. 191. Regulating further the office of circuit solicitor of the eighth judicial circuit of Alabama; amending Section 2 of Act No. 312, S. 215, Regular Session 1955 (Acts 1955, p. 710), relating to the solicitor's fund.

Also:

H. 193. To make an appropriation to the State Board of Chiropractic Examiners for the fiscal year ending September 30, 1965.

Also:

H. 194. To apply only in counties of the state having populations of not less than 100,000 nor more than 115,000; to further regulate the taking of fish from public streams and impounded waters.

Also:

H. 195. To provide for and require reidentification of the registered voters of counties having a population of not less than 100,000 or more than 115,000 according to the latest or any subsequent federal census and imposing duties upon the board of registrars and other county officers and upon the electors whose names appear on the list of qualified voters in such counties.

Also:

H. 196. Relating to counties having a population of not less than 100,000 and not more than 115,000 inhabitants according to the latest or any succeeding Federal decennial census and providing for and further regulating the operation of child care in institutions in such counties.

Also:

H. 199. To provide that housing authorities incorporated under the statutes contained in the Code of Alabama 1940 in counties of not less than 150,000 inhabitants and not more than 300,000 inhabitants according to the last United States Census; where the employees of said housing authorities are subject to the provisions of a merit system; that said housing authorities in said counties acting by resolution of their Board of Commissioners are authorized to enter into a contract for the services of a director and assistant director and fix the compensation of same; said director and assistant director shall act as liaison personnel between the cities, the Regional Director and shall negotiate with citizens affected by the overall plan of Urban Redevelopment and such other duties as may be provided in said contract, in order to expedite and implement Title I of the Federal Housing Act of 1949, as amended. Said contract shall be approved by the Regional Director.

Also:

H. 202. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law;

to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act.

Also:

H. 203. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for meetings of the board of registrars in such counties.

Also:

H. 205. To regulate further the compensation and allowance of the sheriff of counties having a population of not less than 96,000 nor more than 106,000.

Also:

H. 207. To amend Act No. 190, H. 389, Regular Session 1961 (Acts 1961, p. 230), an act which regulates the compensation of members and clerks of jury commissions in counties having populations of not less than 96,000 nor more than 106,000.

Also:

H. 208. To amend Code of Alabama 1940, Title 52, Section 63, in relation to qualifications of members of county boards of education in counties having populations of not less than 96,000 nor more than 106,000.

Also:

H. 209. To amend further Code of Alabama 1940, Title 52, Section 151, in relation to the qualifications of members of city boards of education in cities having populations of not less than 50,000 nor more than 60,000.

Also:

H. 214. Relating to counties having a population of not less than 100,000 nor more than 115,000 according to the latest or any succeeding Federal census and amending Title 49, Section 64 of the Code of Alabama of 1940 as the same applies to such counties.

Also:

H. 221. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 227. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Also:

H. 228. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Also:

H. 229. To apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Also:

H. 230. Providing for appointment of members of county boards of equalization in counties having populations of not less than 150,000 nor more than 300,000; amending further Code of Alabama Title 51, Section 89.

Also:

H. 231. Providing for the appointment, tenure, compensation, powers and duties of license inspectors in counties having populations of not less than 150,000 nor more than 300,000.

Also:

H. 232. Relating to the appointment, tenure, and compensation of registrars in counties having populations of not less than 150,000 nor more than 300,000.

Also:

H. 234. Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office.

Also:

H. 235. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions.

Also:

H. 236. To provide for absentee voting by members of the national guard, or other reserve components of the armed forces, in municipal elections and primaries.

Also:

H. 238. To apply in all counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for branch banking in such counties.

Also:

H. 240. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of the coroner in such counties, providing for a salary payable by the county in lieu of fees and allowances.

Also:

H. 241. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of jurors.

Also:

H. 242. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Also:

H. 243. To apply in counties having populations of not less than 25,500 nor more than 25,700, regulating further the compensation of registrars and providing for the payment of additional compensation by the county.

Also:

H. 244. Relating to the Seventh Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

H. 245. Relating to counties having populations of not less than 76,000 nor more than 96,000; providing for the appointment of deputies sheriff; and fixing their salaries.

Also:

H. 246. To regulate the compensation and allowances of the judge of probate of all counties having populations of not less than 76,000 nor more than 96,000.

Also:

H. 251. Relating to counties having populations of not less than 22,550 nor more than 24,550, authorizing an appropriation from county funds for certain purposes.

Also:

H. 252. Relating to counties having populations of not less than 300,000 nor more than 500,000; to authorize the county governing body of any such county to make available to the sheriff an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

Also:

H. 253. To apply in counties having populations of not less than 300,000 nor more than 500,000; providing for assistants and deputies of the sheriff, regulating and providing for payment of their compensation.

Also:

H. 254. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Also:

H. 255. Relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff.

Also:

H. 258. Regulating the compensation of election officers in counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census.

Also:

H. 261. To amend Sections 81, 82, 88, 94, 95 and 107 of Title 51, Code of Alabama 1940, as heretofore amended, which relate to the assess-

ment and valuation changes of property assessments; and to provide for hearings and the filing of protests on property assessments; to provide for a Board of Equalization, or Board of Equalization and Adjustments; to fix the compensation of members of such Board of Equalization, or Board of Equalization and Adjustments, and the method of payment of such compensation; and to provide for the meeting of such Board to hear objections to such valuations by establishing additional duties, responsibilities and classifications therein.

Also:

H. 262. To provide for a Chief Bailiff of the Circuit Court of any County having a population of not less than 76,000 nor more than 96,000, and to further provide for the appointment, tenure of office, and compensation of such Chief Bailiff.

Also:

H. 263. Relating to counties having a population of not less than 76,000 nor more than 96,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Also:

H. 139. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Amendment CXCV to the Constitution of Alabama providing for the levy and collection by Mobile County of a special tax, not exceeding six mills on each dollar of taxable property in the County, for public hospital purposes.

Also:

H. 178. To propose an amendment to the Constitution of Alabama for the creation in Jefferson County, Alabama, of districts wherein there may be established and maintained a system for fighting fires or preventing fires, or a system for the collection and disposal of garbage and trash, after the creation of any such district has been first approved by the qualified electors residing within the proposed district; to provide for the levying and collecting of a service charge to bear the cost of fighting fires or preventing fires in any district established for that purpose; to provide for the levying and collecting of a service charge to bear the cost of collecting and disposing of garbage and trash in any district established for that purpose; to provide that such service charge shall be levied upon and collected from the persons and property to whom and to which such services are available; to provide that any such service charge shall be a lien upon any such property; to provide for the enlargement of any such district by the addition of territory thereto; and to authorize the Legislature to provide for the issuance of bonds, to pay the cost of establishing and maintaining such systems, payable only out of the proceeds of the said service charge.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

RESOLUTION

Mr. Shelton offered the following Senate Resolution, to-wit:

S. J. R. 21. WHEREAS, the Credentials Committee of the 1964 Democratic National Convention has recommended and the Convention has adopted a prohibition against the seating of the elected Alabama Delegates to such Convention unless and until such delegates sign a so-called "Loyalty" Pledge which is not required of other delegates; and

WHEREAS, the record of loyalty of the people of Alabama to the Democratic Party stands without parallel in the political history of our Nation and thus surpasses that of many states whose delegates now seek to require of our Delegation this repugnant, insulting and belittling action. This is a reflection upon the character and integrity of the duly elected members of the Alabama Delegation and upon the people of Alabama; and

WHEREAS, an overwhelming majority of such duly elected delegates from our State have justly refused to comply with this offensive requirement, and such refusal on their part is in keeping with the desires and wishes and reflects the sentiment of a great majority of the Democrats of Alabama;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, That we do commend those elected members of the Alabama Delegation for their forthright stand on principle and assure them that such is in accord with their obligation to the Democrats of Alabama, and we do further condemn those who seek to take advantage of the present situation to gain, without benefit of election, the rightful places of the duly elected delegates and thereby thwart the will of the Democrats of Alabama;

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted forthwith to the Chairman of the Alabama Delegation to the National Democratic Convention, to the national news media, and to the President of the United States who should intervene in this matter in appreciation for the historic loyalty of the people of Alabama to the Democratic Party and for the personal support given him by the Alabama Delegation in 1960 for nomination for President of the United States.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

H. 226. To provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Horton	Reynolds
Allen	Gilchrist	James	Roberts
Bentley	Givhan	Lowe	Robison (Montgomery)
Carter	Hammond	Mathews	Shelton
Cooper	Hawkins	McCain	Taylor
Dumas	Hornsby	Nichols	Tyson
Eddins			

Nays:

—0

The Bill:

S. 156. Relating to counties having populations of not less than 18,800 nor more than 19,500; providing further for the compensation of members of the county governing bodies.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Horton	Roberts
Allen	Evans	James	Robison (Montgomery)
Bentley	Gilchrist	Lowe	Robison (Pickens)
Carter	Givhan	McCain	Shelton
Clark	Hawkins	Nichols	Taylor
Cooper	Hornsby	Reynolds	Tyson
Dumas			

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fite:

H. J. R. 47. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Journals of the House and Senate of this Special Session of the Alabama Legislature be bound in one and the same volume;

PROVIDED, however, that if such volume is more than twelve hundred pages in length, then the Senate Journal shall be bound in one volume and the House Journal shall be bound in one volume.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, HJR 47, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fite:

H. J. R. 48. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Clerk of the House and the Secretary of the Senate each be allowed the Enrolling and Engrossing Clerks and eight assistants for four weeks in addition to

those now provided in the Code to assist in checking the Journals and other records of the House and Senate for delivery to the Secretary of State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, HJR 48, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Blanton, Hain, Bowers and Steagall:

H. J. R. 40. WHEREAS, Joseph Palumbo of Selma, Alabama, the immediate past District Number 10 Commander, Department of Alabama, Veterans of Foreign Wars, has been selected for national honors as an All American District Commander for his outstanding leadership in the Veterans of Foreign Wars of the United States; and

WHEREAS, the special national recognition is to be bestowed on him by the Veterans of Foreign Wars at its forthcoming National Convention in Cleveland, Ohio; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we extend heartiest congratulations and best wishes to this distinguished citizen, and warmly commend him for his achievements and receipt of this great honor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, HJR 40, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Baker (DeKalb):

H. J. R. 41. WHEREAS, William B. Camp, of Fort Payne, Alabama, the immediate past Commander of Veterans of Foreign Wars post number 3128, Fort Payne, Alabama has been named as the most outstanding post Commander of the Veterans of Foreign Wars in Alabama; and was selected as a member of the All American Team of post Commanders for his outstanding leadership in the Veterans of Foreign Wars of the United States; and

WHEREAS, the special recognition is to be bestowed on him by the Veterans of Foreign Wars at its forthcoming National Convention in Cleveland, Ohio; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we extend heartiest congratulations and best wishes to this distinguished citizen and warmly commend him for his achievements and receipt of this great honor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hammond, the Rules were suspended and the Resolution, HJR 41, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 88. To amend further Code of Alabama 1940, Title 37, Section 440, in relation to the compensation of the mayor of any city having a population of not less than 28,000 nor more than 29,000.

Also:

S. 19. To amend the Title and Section 1 of Act No. 663, S. 132, approved September 6, 1961 (Acts of 1961, p. 827) entitled "An Act to provide for and regulate general and special elections in the cities and towns of this State, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers: Providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections: Providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast: Designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor: Prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the City or Town holding such elections."

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and

a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 68, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 69, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 119. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Locke:

H. J. R. 42. MEMORIALIZING CONGRESS TO INITIATE A CONSTITUTIONAL AMENDMENT IN RELATION TO RESIDENTIAL QUALIFICATIONS OF UNITED STATES SENATORS.

To the Senate and House of Representatives of the United States:

We, your memorialists, the Legislature of the State of Alabama, in extraordinary session assembled, most respectfully represent that there is an urgent necessity for clarification and settlement by law of certain questions pertaining to residential requirements for holding office as a Senator of the United States; and

WHEREAS, the Constitution clearly contemplates that Senators come to the Congress as Representatives of the States and the people thereof and not be designated merely as the Senators representing a State; and

WHEREAS, there is a danger to the political stability of this country to allow nonresidents and persons not qualified to vote within a State to become U. S. Senators representing the State in the Congress; and

WHEREAS no person ought to be eligible to election or appointment as a U. S. Senator unless he is a bona fide resident and qualified elector of the State for which he is chosen; now therefore, be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE JOINTLY CONCURRING, That the Congress be memorialized to act immediately under the authority of Article V of the Constitution of the United States and propose an amendment to Clause 3 of Section 3, Article I, of said Constitution, so that the same shall read in substance as follows:

"No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be a resident of that state for which he shall be chosen, and at said time shall have been a legal resident of that state for six years next preceding his election."

RESOLVED FURTHER, That copies of this memorial shall be sent by the Clerk of the House to the Speaker of the House of Representatives of the United States, to the President of the U. S. Senate, and to all members of Congress from Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison (Pickens), the Rules were suspended and the Resolution, HJR 42, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 20. Relative to Commending the American Legion and Auxiliary, Department of Alabama, for their exemplary efforts in behalf of the enshrinement of the USS ALABAMA, and for their service to the citizens of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Heflin and Sessions:

H. J. R. 51. RELATIVE TO ESTABLISHMENT OF A CONFEDERATE MEMORIAL PARK

WHEREAS it is just and proper that the people of Alabama remember and honor the unsurpassed valor and sacrifice of its sons and daughters who distinguished themselves during the existence of the Confederacy and the War Between the States; and

WHEREAS the National Centennial of the War Between the States is now in progress, but will end in 1965; and

WHEREAS, the site of the former Mountain Creek Soldiers' Home and the Mountain Creek Cemetery, where many Confederate veterans are buried, is owned by the State of Alabama and has been allowed to fall into such a sadly neglected condition as to look abandoned and thereby indicate a disrespect for the valiant Confederate soldiers resting there; and

WHEREAS the beautification, care and maintenance of this cemetery as a suitable resting place for Alabama's Confederate soldiers sleeping there is a moral obligation of the State; and

WHEREAS, the site of this cemetery and the former soldiers home is most appropriate for a Confederate Memorial Park and it is fitting that Alabama establish such a park before the end of the National Centennial Observance of the War Between the States; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby memorializes the Director of Conservation and the Chief of the Division of Parks, Monuments and Historical Sites in the Conservation Department, to designate Mountain Creek Cemetery and a suitable part of the Mountain Creek Soldiers' Home site "Confederate Memorial Park," and to maintain such site in a manner commensurate with the honor and reverence with which the people of Alabama remember this State's valiant Confederate veterans. Such Chief of the Division of Parks is urged to use any funds available for such purpose in erecting columns at the entrance to the cemetery to support an appropriate iron grill-work arch bearing the name of the park, to provide for the erection of an open air pavilion or other structure suitable for memorial services at such park, in cooperation with the State Highway Department, to lay out, construct and maintain roadways and paths in the cemeteries to provide access to the graves therein, and generally to beautify this site and convert it into a fitting shrine to the honor of Alabama's citizens of the Confederacy.

BE IT FURTHER RESOLVED that the Director of Conservation is hereby urged to request the Highway Department to construct and maintain roads throughout such park as authorized in Code of Alabama, 1940, Title 8, Section 181; and that the Highway Department is urged to comply with this request and to exert every effort to have this site converted into a suitable memorial to Alabama's citizens of the Confederacy before the period of observance of the National Centennial expires and to this end to expend any funds available for such purpose.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, HJR 51, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Bassett:

H. J. R. 43. WHEREAS, The Honorable Alex E. Brantley has been summoned to his eternal reward by his Creator, having faithfully served on earth the purpose of his creation, and

WHEREAS, The Honorable Alex E. Brantley served with distinction as Judge of Probate of Pike County for twenty-six years and was highly respected, not only by the people of that county but throughout the State of Alabama, for the honesty, impartiality and efficiency with which he conducted that office, and

WHEREAS, during his career he held many important public positions, including that of President of the Association of County Commissioners of Alabama, and

WHEREAS, The Honorable Alex E. Brantley was held in the highest esteem by the people of this State as being a man of unimpeachable character, distinguished ability, and imbued with a love of his State, and

WHEREAS, his passing is deeply mourned by persons in all walks of life and by the members of the Legislature, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the members of the Legislature do hereby express their deep sorrow at the passing of the Honorable Alex E. Brantley and extend their sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED that in grateful appreciation of his services to his State, his County and his fellow man, this Resolution be spread upon the pages of the Journal and that a copy hereof be sent forthwith to his family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, HJR 43, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Edington:

H. J. R. 45. WHEREAS the Alabama State Legislature is privileged to have among its members a woman Legislator, the lady from Mobile, Mrs. Clara Stone Fields; and

WHEREAS said lady is a member of the Order of Women Legislators, a nationally recognized organization which is holding its national convention in the month of November of 1964 in Puerto Rico; and

WHEREAS it is to the best interest of the State of Alabama that it be properly represented at this convention;

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the lady from Mobile, Mrs. Clara Stone Fields, be appointed Alabama's delegate to such convention, that \$350.00 be appropriated for her expenses from the funds of the Legislature, and that she be directed to report to the next Regular Session of this body the accomplishments of said national convention.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Rules were suspended and the Resolution, HJR 45, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cates:

H. J. R. 49. WHEREAS Mr. L. C. Abbott, veteran tax collector of Shelby County, passed away on August 14, 1964 in Columbiana at the age of eighty-five; and

WHEREAS Mr. Abbott who was born and reared in the Shelby community spent much of his long and useful life in public service which he performed faithfully and efficiently. The affection and esteem with which Mr. Abbott was held is attested to by the fact that he was elected to the office of tax collector first in 1934 and was reelected for every subsequent term, frequently without opposition and usually as leader of the ticket in every campaign; and

WHEREAS Mr. Abbott who was a Baptist, a Mason, and a pillar of his community, will be sorely missed by his many friends is survived by four nieces: Mrs. Ed Glass, Columbiana; Mrs. C. A. Craven, Birmingham; Mrs. Herston Cooper, Miami Beach, Florida; and Mrs. J. O. Erwin, Houston, Texas; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the passing of Mr. Abbott and extends its sincere sympathy to the surviving members of his family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Carter, the Rules were suspended and the Resolution, HJR 49, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Callahan, Brewer, Brown (Tuscaloosa), Campbell (Tuscaloosa):

H. J. R. 46. WHEREAS, Monday, September 7th, 1964 has been set aside, named and designated as the day all Americans honor the men and women who earn their living by the sweat of their brow; and

WHEREAS, this is an honorable event and should be observed as an occasion of health, happiness and rest; yet from past occasions and past traditions this has been observed as an occasion for SLAUGHTER ON THE HIGHWAYS of this state, as it is with so many holidays.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That the people of Alabama be called upon to drive with a special care and caution, during that period of time usually referred to as "Labor Day Week End" to the end that slaughter on the highways on this occasion be held to a minimum.

BE IT FURTHER RESOLVED, That the Honorable Al Lingo, Director, Department of Public Safety, be instructed to call upon all his state troopers to be extra alert in preventing accidents and deaths on this occasion.

BE IT FURTHER RESOLVED, That the Governor of Alabama be REQUESTED to issue a proclamation, well in advance, calling upon all Alabamians to exert an extra bit of care on this occasion, and calling upon and requesting all media of publicity to begin at an early date to put on a campaign to assist in this all important matter.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelton, the Rules were suspended and the Resolution, HJR 46, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent to the Senate without engrossment:

By Messrs. Goldthwaite, Powell, Sullivan, Paulk, Grouby, Pierce, Little, Bassett, Edwards (Escambia), Salter, Carr, Snell, Boston, Campbell (Tuscaloosa), Barnett, Cates, Gilmore, Vacca, Sessions, Locke, Nettles, McCorquodale, Thomas, Camp, Edwards (Lowndes), Bowers and Bethea (M):

H. 285. To use the final peaceful and lawful means available to the people of the sovereign State of Alabama, to void unconstitutional legislation passed by members of the U. S. Congress, to clarify the law within the State of Alabama which has been confused by unconstitutional and illegal actions of members of the United States Supreme Court, the federal Executive Branch and finally the U. S. Congress itself, to correct distortions of the basic Law of the Land, to eliminate arrogations of power by federal agencies which power was not "delegated by the Constitution nor prohibited by it to the States", to revoke usurpations by the Federal Government of power retained under the Constitution of the United States by the State of Alabama and the people thereof, to void within the State of Alabama the Public Law No. 88-352, so-called "The Civil Rights Act of 1964."

Also:

By Mr. Locke:

H. 286. To amend Section 553, Title 52, of the Code of Alabama, 1940, regarding the physical examination of school children.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 285—to the Committee on Insurance

H. B. 286—to the Committee on Education

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 142. To authorize and require the expenditure of funds in the Public Welfare Trust Fund, created by Title 49, Section 17, Sub-section 27 of the Code of Alabama of 1940, to provide Juvenile Court probationary services in all those counties in which Juvenile Court probationary service is not furnished by the State Department of Pensions and Security and to authorize the matching of funds with local counties employing Juvenile Court Probation Officers.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 21. Commending those members of the Alabama delegation to the 1964 Democratic National Convention for their stand in refusing to sign a loyalty pledge.

And said Resolution was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 32. Naming the new school building at Skipperville, Alabama the "George W. Long Skipperville School".

And said Resolution was then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 137. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE ON CONFERENCE ON THE BILL, H. B. 137

We, your committee on conference appointed to reconcile the disagreement between the two houses concerning the bill, H. B. 137, have met, considered the matter of disagreement between the two houses, and have agreed to the following report:

1. We recommend that the House recede from its position and agree to the Senate amendment to the bill; and

2. That the bill as amended by the Senate be passed.

MYLAN R. ENGEL
ELWOOD L. HOGAN
C. M. A. ROGERS III

Conferees on the part of the House

JOHN M. TYSON
BOB GILCHRIST
ED HORTON

Conferees on the part of the Senate

And said bill:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000; providing civil service or merit system status for Chiefs of Police of such cities.

together with the Report of the Committee on Conference is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill, H. B. 137, the title of which, and said Conference Report, is set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Clark	Evans	Hawkins
Allen	Cooper	Gilchrist	Horton
Bentley	Dumas	Givhan	James
Carter	Eddins	Hammond	Lowe

Mathews	Reynolds	Robison (Montgomery)	Shelton	
McCain	Roberts	Robison (Pickens)	Tyson	
Nichols				—24

Nays: —0

And said Bill, as thus amended by the Conference Report, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Horton	Reynolds	
Allen	Evans	James	Roberts	
Bentley	Gilchrist	Lowe	Robison (Montgomery)	
Carter	Givhan	Mathews	Robison (Pickens)	
Clark	Hammond	McCain	Shelton	
Cooper	Hawkins	Nichols	Tyson	
Dumas				—24

Nays: —0

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to further consideration of the unfinished business for today, which was the Bill:

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

And said Bill, H. B. 134, was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hornsby	Nichols	
Allen	Evans	Horton	Roberts	
Bentley	Gilchrist	James	Robison (Montgomery)	
Carter	Givhan	Lowe	Robison (Pickens)	
Clark	Hammond	Mathews	Taylor	
Cooper	Hawkins	McCain	Tyson	
Dumas				—24

Nays: —0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Cooper, further consideration of all Senate Bills remaining on the Calendar was indefinitely postponed by the Senate.

ORDER TO PRINT

On motion of Mr. Horton, 250 copies of the Bill, S. B. 2, were ordered printed for the use of the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:
Amendment to H. B. 81

In Section 2 (a) add the following words and figures: As used herein, "any type of independent use" includes residential, commercial, or industrial use.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Eddins	Horton	Robison (Montgomery)
Allen	Evans	James	Robison (Pickens)
Bentley	Gilchrist	Lowe	Shelton
Clark	Hammond	Mathews	Taylor
Cooper	Hawkins	Reynolds	Tyson
Dumas			—20

Nays.

—0

And said Bill, H. B. 81, as thus amended, was then read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Robison (Montgomery)
Allen	Eddins	James	Robison (Pickens)
Bentley	Evans	Lowe	Shelton
Carter	Gilchrist	Mathews	Taylor
Clark	Hammond	McCain	Tyson
Cooper	Hawkins	Reynolds	—22

Nays:

—0

The Bill:

H. 91. To amend Sections 773 and 778 of Title 37, Code of Alabama, relating to the publication of zoning ordinances; providing that any zoning ordinance heretofore published in accordance with the provisions of this Act shall be deemed to have been lawfully published.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dumas	James	Robison (Montgomery)
Allen	Eddins	Lowe	Robison (Pickens)
Bentley	Evans	Mathews	Shelton
Carter	Hammond	McCain	Taylor
Clark	Hawkins	Reynolds	Tyson
Cooper	Hornsby		—21

Nays:

—0

The Bill:

H. 219. To provide additional judges for the tenth judicial circuit of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dumas	Lowe	Robison (Montgomery)	
Allen	Eddins	Mathews	Robison (Pickens)	
Bentley	Evans	McCain	Shelton	
Carter	Hammond	Nichols	Taylor	
Clark	Hawkins	Reynolds	Tyson	
Cooper	James			—21

Nays:

—0

The Bill:

H. 133. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2(b), Act No. 100, Second Special Session 1959.

Was read a third time at length and passed.

Yeas 17; Nays 2.

Yeas:

Messrs.:	Eddins	McCain	Robison (Montgomery)	
Allen	Hammond	Nichols	Robison (Pickens)	
Carter	Hawkins	Reynolds	Taylor	
Cooper	James	Roberts	Tyson	
Dumas	Mathews			—17

Nays: Messrs.: Bentley and Shelton

—2

ADJOURNMENT

At 4:43 P. M., Mr. Taylor moved that the Senate adjourn until Friday, August 28, 1964, at 10 o'clock A. M.

Mr. Tyson moved as a substitute motion that the Senate adjourn until Thursday, August 27, 1964, at 10 o'clock A. M., which motion was lost.

Yeas 6; Nays 14.

Yeas:

Messrs.:	Dumas	McCain	Tyson	
Cooper	Hawkins	Robison (Montgomery)		—6

Nays:

Messrs.:	Clark	James	Robison (Pickens)	
Allen	Eddins	Nichols	Shelton	
Bentley	Evans	Reynolds	Taylor	
Carter	Hammond	Roberts		—14

The question recurred on the motion of Mr. Taylor which was adopted, and at 4:46 P. M., the Senate did adjourn until Friday, August 28, 1964, at 10 o'clock A. M.

THIRTEENTH LEGISLATIVE DAY

FRIDAY, AUGUST 28, 1964

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	Metcalf	Robison (Pickens)
Carter	Hammond	Montgomery	Shelton
Clark	Hornsby	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	

—26

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE

ON

REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twelfth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Twelfth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Gilchrist, leaves of absence were granted Messrs. Adams, Brannan, Eddins, Hawkins, Horton, Lowe, McDow, Smith and Wilson for today.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 19. Establishing an interim legislative committee on the Uniform Commercial Code.

And on motion of Mr. Clark, said Resolution was then adopted by the Senate.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. 13. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census where probation is now authorized or provided for by law and a person has plead guilty to, or has been adjudged guilty of, crime, Circuit Courts in such Counties shall have and are hereby given the right, power and authority to defer adjudging defendant guilty and imposition of sentence in such cases and may place such person on probation pending imposition of sentence; that when sentence is imposed such Circuit Courts may determine what part of such sentence shall be served and what part of such sentence such person shall be placed on probation and such Circuit Courts may suspend any part of such sentence and place such person on probation for the first part, last part or any intermediate part of such sentence, or upon motion of defendant may set aside such plea of guilty or verdict of guilty and grant a new trial, and further regulating probations and proceedings in Circuit Courts in such Counties.

Also:

S. 19. To amend the Title and Section 1 of Act No. 663, S. 132, approved September 6, 1961 (Acts of 1961, p. 827) entitled "An Act to provide for and regulate general and special elections in the cities and towns of this State, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers: Providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections: Providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast: Designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor: Prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the City or Town holding such elections."

Also:

S. 88. To amend further Code of Alabama 1940, Title 37, Section 440, in relation to the compensation of the mayor of any city having a population of not less than 28,000 nor more than 29,000.

Also:

S. 119. To make an appropriation from the state general fund to aid in the construction of a livestock pavilion barn at the state fair grounds.

Also:

S. J. R. 20. Commending the American Legion and Auxiliary for their efforts in behalf of the enshrinement of the USS ALABAMA.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill and House Joint Resolutions, your signature thereto is requested.

H. 226. To provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act.

Also:

H. J. R. 40. Relative to commending and congratulating Joseph Palumbo of Selma, Alabama.

Also:

H. J. R. 41. Relative to commending and congratulating William B. Camp of Fort Payne, Alabama.

Also:

H. J. R. 47. Relative to the binding of the Journals of the House and Senate for the Special Session of August 1964.

Also:

H. J. R. 48. Relative to providing for assistants in checking House and Senate records.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 131, with a suggested executive amendment, as follows:

Amend Section 2 of Senate Bill 131, by striking therefrom in line three of said section, the word "shall" and substitute in lieu thereof the word "may".

This said suggested executive amendment is made with the full knowledge and approval of the authors of said bill and if adopted will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Taylor, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Which said amendment is set out in the foregoing Message from the Governor.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Oden
Allen	Gilchrist	Mathews	Reynolds
Bentley	Givhan	McCain	Roberts
Carter	Hammond	Metcalf	Shelton
Clark	Hornsby	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas			

—24

Nays:

—0

Which was a majority of the whole number elected to the Senate.

RULING OF THE CHAIR

The Chair ruled that in accordance with the provisions of Section 125 of the Constitution, concurrence in the executive amendment to the bill satisfied constitutional requirements.

RESOLUTION

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 22. To provide for a legislative advisory and study committee with the Board of Corrections.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

1. There shall be established a joint legislative advisory and study committee with the Board of Corrections, to consist of three Representatives appointed by the Speaker of the House and two Senators appointed by the President of the Senate.

2. It shall be the duty of the committee (1) to work with the Board of Corrections to study the feasibility of relocating the State's prison facilities and to provide for the disposition of existing prison properties; (2) make plans for such a program; (3) make a report of its findings, conclusions, and recommendations to the Governor and to the Legislature at the earliest practicable date; submit to the Governor and to the Legislative Council drafts of any legislation needed to carry out the findings and recommendations of the committee not later than April 15, 1965.

3. The members of the committee shall select a chairman and vice chairman from among their own number, and shall meet at such time or times and at such places as the committee chairman of the committee may designate. The members of the Committee shall be entitled to their usual legislative per diem and expenses for attending committee meetings or when otherwise engaged on committee business while the Legislature is not in session. Provided, that no member of the Committee shall be paid for more than 30 days in any calendar year.

4. The committee chairman shall be authorized to employ such technical, clerical, professional, or other assistance as may be deemed necessary to carry out the functions of this Committee, and the compensation for technical, clerical, professional or other assistance shall be paid from any funds appropriated for the use of the Legislature.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 124, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 124, with a suggested executive amendment.

Respectfully submitted,

EARL C. MORGAN,
Executive Secretary.

AUGUST 28, 1964

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 124, with a suggested executive amendment, as follows:

Amend Section 1 of House Bill 124 by striking therefrom the words "thirty-three hundred dollars per annum" wherever they appear therein, and substitute in lieu thereof the words "four thousand dollars per annum".

This suggested executive amendment is made with the full knowledge and approval of the authors of said bill and if adopted will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 124, by a vote of Yeas 72, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 72, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Tyson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 124, the title of which and said executive amendment is set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	Metcalf	Shelton
Clark	Hornsby	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas			

—24

Nays:

—0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 72, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 79, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Hornsby, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goldthwaite et al:

H. 285. To use the final peaceful and lawful means available to the people of the sovereign State of Alabama, to void unconstitutional legislation passed by members of the U. S. Congress, to clarify the law within the State of Alabama which has been confused by unconstitutional and illegal actions of members of the United States Supreme Court, the federal Executive Branch and finally the U. S. Congress itself, to correct distortions of the basic Law of the Land, to eliminate arrogations of power by federal agencies which power was not "delegated by the Constitution nor prohibited by it to the States", to revoke usurpations by the Federal Government of power retained under the Constitution of the United States by the State of Alabama and the people thereof, to void within the State of Alabama the Public Law No. 88-352, so-called "The Civil Rights Act of 1964."

BILLS ON THIRD READING

The Bill:

H. 277. To amend Section 103 of Title 13, 1940 Code of Alabama, as amended, relating to the salary of Judges of the Court of Appeals.

Was read a third time at length and passed.

Yeas 17; Nays 4.

Yeas:

Messrs.:	Cooper	Mathews	Reynolds
Allen	Dumas	McCain	Roberts
Bentley	Evans	Metcalf	Robison (Montgomery)
Carter	Gilchrist	Nichols	Tyson
Clark	Lolley		

Nays:

Messrs.:	Montgomery	Robison (Pickens)	Shelton	
James				—4

The Bill:

H. 210. To amend Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to authorize any relative of a child to appoint by his last will and testament the mother or father as guardian; and giving the amendment retroactive effect.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Evans	Metcalf	Robison (Montgomery)	
Allen	Gilchrist	Montgomery	Robison (Pickens)	
Bentley	Hornsby	Nichols	Shelton	
Carter	James	Reynolds	Taylor	
Clark	Mathews	Roberts	Tyson	
Dumas	McCain			—21

Nays: —0

The Bill:

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

Amendment to H. B. 264

House Bill 264 is hereby amended as follows:

After the words "Salvation Army, Inc." where they appear the second time in Section 1, insert "the Community Chest of Jefferson County and all real and personal property of the Community Chest of Jefferson County"

Which was adopted.

Yeas 18; Nay 1.

Yeas:

Messrs.:	Evans	Metcalf	Robison (Montgomery)	
Allen	Gilchrist	Montgomery	Robison (Pickens)	
Clark	Hornsby	Nichols	Taylor	
Cooper	Mathews	Reynolds	Tyson	
Dumas	McCain	Roberts		—18

Nay: Mr. Shelton —1

And said Bill, H. B. 264, as thus amended, was then read a third time at length and passed.

Yeas 17; Nay 1.

Yeas:

Messrs.:	Evans	Montgomery	Robison (Montgomery)	
Allen	Givhan	Nichols	Robison (Pickens)	
Clark	James	Reynolds	Taylor	
Cooper	McCain	Roberts	Tyson	
Dumas	Metcalf			—17
Nay:	Mr. Shelton			—1

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 22. To provide for a legislative advisory and study committee with the Board of Corrections.

And said Resolution was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 19. Relative to establishing an interim legislative committee on the Uniform Commercial Code.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 148. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

Also:

S. 153. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Also:

S. 150. An Act to revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963, (Ala. Acts, 1963, page 963, et seq.)

Also:

S. 154. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by

the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Also:

S. 140. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Also:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 11. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	Metcalf	Robison (Pickens)
Carter	Hornsby	Montgomery	Shelton
Clark	James	Nichols	Taylor
Cooper	Lolley	Reynolds	Tyson

—23

Nays:

—0

The Bill:

H. 1. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	Metcalf	Robison (Pickens)
Carter	Hornsby	Montgomery	Taylor
Clark	James	Nichols	Tyson
Cooper	Lolley	Reynolds	

—22

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent to the Senate without engrossment:

By Mr. Edwards (Escambia):

H. 249. To amend Code of Alabama 1940, Title 8, Section 39, which relates to nonresident state fishing licenses.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 249. To the Committee on Forestry and Conservation.

BILLS ON THIRD READING RESUMED

The Bill:

H. 141. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Allen	Givhan	Metcalf	Robison (Montgomery)
Carter	Hammond	Montgomery	Robison (Pickens)
Clark	Hornsby	Nichols	Shelton
Cooper	James	Reynolds	Tyson
Evans	Lolley		

—21

Nays:

—0

The Bill:

H. 269. Relating to counties with cities having populations of not less than 200,000 nor more than 300,000; regulating further the compensation of the judge of certain inferior civil courts.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Oden
Allen	Gilchrist	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	Metcalf	Shelton
Clark	Hornsby	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas			

—24

Nays:

—0

The Bill:

H. 270. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	Metcalf	Shelton
Clark	Hornsby	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas			—24

Nays:

—0

The Bill:

H. 271. Providing further for the compensation of members of the board of registrars in counties having not less than 48,500 nor more than 49,500 population according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Allen	Givhan	McCain	Roberts
Bentley	Hammond	Metcalf	Robison (Pickens)
Carter	Hornsby	Montgomery	Shelton
Clark	James	Nichols	Taylor
Cooper	Lolley	Oden	Tyson
Dumas			—24

Nays:

—0

The Bill:

H. 274. To apply in counties having populations of not less than 19,500 nor more than 20,000; providing expense allowances for the chairman or presiding judge and members of the court of county commissioners, board of revenue, or other like governing body of the county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	Metcalf	Shelton
Clark	Hornsby	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas			—24

Nays:

—0

The Bill:

H. 275. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Allen	Gilchrist	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	Metcalf	Shelton
Clark	Hornsby	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas			—24

Nays:

—0

The Bill:

H. 279. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	Metcalf	Robison (Pickens)
Carter	Hammond	Montgomery	Shelton
Clark	Hornsby	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas			—24

Nays:

—0

The Bill:

H. 220. To alter, rearrange, and extend the boundaries of the City of Bessemer in Jefferson County, providing for a referendum election to determine whether the Act will become effective.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

Amendment to H. B. 220

House Bill 220 is hereby amended by striking out the last sentence of paragraph (A) of Section 3 and inserting in lieu thereof the following:

"The election shall be held on a date to be prescribed by the Judge of Probate of Jefferson County not earlier than sixty days after the date on which a petition or petitions signed by over fifty per cent (50%) of the qualified electors who reside in the territory described in Section 1 of this Act and by over fifty per cent (50%) of the owners of real property located in said territory and a resolution by the governing body of

the City of Bessemer consenting to and approving such annexation shall have been filed in the office of the Judge of Probate of Jefferson County."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Oden	
Allen	Gilchrist	Mathews	Reynolds	
Bentley	Givhan	McCain	Roberts	
Carter	Hammond	Metcalf	Shelton	
Clark	Hornsby	Montgomery	Taylor	
Cooper	James	Nichols	Tyson	
Dumas				—24

Nays:

—0

And said Bill, H. B. 220, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Oden	
Allen	Gilchrist	Mathews	Reynolds	
Bentley	Givhan	McCain	Roberts	
Carter	Hammond	Metcalf	Shelton	
Clark	Hornsby	Montgomery	Taylor	
Cooper	James	Nichols	Tyson	
Dumas				—24

Nays:

—0

The Bill:

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

was taken up.

Mr. Tyson offered the following amendment to the Bill, to-wit:

Amendment to H. B. 278

In Section 14, strike out the first sentence and insert in lieu thereof the following:

Any member or former member of the police or fire department who has been in the service thereof for as long as twenty consecutive years, upon making written application to the Board of Pensions therefor, shall, without medical examination or disability, be retired from service in such police or fire department; and, upon such retirement, the said Board of Pensions shall direct the payment to such retired member monthly from the Fund herein created a sum equal to fifty per cent of the monthly compensation or salary received by such member as salary in such fire or police department at the time of his retirement; provided, however, that said payments to said retired member of the police or

fire department shall not commence or be effective earlier than the fifty-fifth birthday of the member.

Also, in Section 15 (a), after the word "continuous" strike out the words "and who has reached the age of fifty-five years or more"

Also, in Section 15 (b), after the words "as long as thirty years" strike out the words "and who has reached the age of fifty-five years or more"

Also, in Section 15 (c), after the words "thirty-five years or longer" strike out the words "and who has reached the age of fifty-five years or more"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	Metcalf	Robison (Pickens)
Carter	Hornsby	Montgomery	Shelton
Clark	James	Nichols	Taylor
Cooper	Lolley	Oden	Tyson
Dumas			—24

Nays:

—0

Mr. Tyson then offered the following amendment to the Bill, H. B. 278, as amended, to-wit:

To amend Section 6, Subsections (a) and (b) of House Bill 278 to read as follows:

Section 6 (a) Each insurance company writing fire insurance on property in the City of Mobile shall, on or before the first day of March of each year, pay to the City of Mobile for credit to said Pension and Relief Fund, a sum equal to one-half of one per cent of the gross premiums, less returned premiums, received on policies insuring property situated within the corporate limits of such municipality during the preceding year; provided, however, that when said insurance companies pay to the City a sum equal to four per cent of its net premiums, such companies shall not be required to pay the amount herein provided to said Pension and Relief Fund.

(b) Each such insurance company shall on or before the due date of such payment file with the Board of Commissioners or like governing body of the City a statement or report in writing, showing the gross amount of premiums less returned premiums, received on such policies during the preceding year; which statement or report shall be sworn to by the agent of such insurance company in the City, or some other person having knowledge of the facts; and any such insurance company failing to make and file such report and statement as aforesaid, shall forfeit to the City of Mobile for use of the Policemen's and Fire Fighter's Pension and Relief Fund, the sum of one thousand dollars, to be recovered against such insurance company violating the provisions hereof, or its agents, by suit brought in the name of the City, and all such forfeitures and penalties shall be and become a part of the Policemen's and Fire Fighter's Pension and Relief Fund.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	Metcalf	Robison (Pickens)
Carter	Hornsby	Montgomery	Shelton
Clark	James	Nichols	Taylor
Cooper	Lolley	Oden	Tyson
Dumas			—24

Nays: —0

And said Bill, H. B. 278, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Oden
Allen	Gilchrist	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	Metcalf	Shelton
Clark	Hornsby	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas			—24

Nays: —0

The Bill:

H. 280. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer;" to provide further for the compensation of the chief clerk in the office of the sheriff.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	Metcalf	Robison (Pickens)
Carter	Hammond	Nichols	Shelton
Clark	Hornsby	Oden	Taylor
Cooper	James	Reynolds	Tyson
Dumas			—24

Nays: —0

The Bill:

H. 281. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Allen	Gilchrist	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Pickens)
Carter	Hammond	Montgomery	Shelton
Clark	Hornsby	Nichols	Taylor
Cooper	James	Oden	Tyson
Dumas			—24

Nays:

—0

The Bill:

H. 283. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Reynolds
Allen	Givhan	McCain	Roberts
Bentley	Hammond	Metcalf	Robison (Montgomery)
Carter	Hornsby	Montgomery	Shelton
Clark	James	Nichols	Taylor
Cooper	Lolley	Oden	Tyson
Evans			—24

Nays:

—0

The Bill:

H. 284. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Roberts
Allen	Givhan	Metcalf	Robison (Montgomery)
Bentley	Hammond	Montgomery	Robison (Pickens)
Carter	Hornsby	Nichols	Shelton
Clark	James	Oden	Taylor
Cooper	Lolley	Reynolds	Tyson
Dumas			—24

Nays:

—0

The Bill:

H. 182. To provide for removal of prisoners from one municipal jail to another jail under certain specified conditions.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Nichols	
Allen	Evans	Mathews	Reynolds	
Bentley	Givhan	McCain	Robison (Montgomery)	
Carter	Hammond	Metcalf	Robison (Pickens)	
Clark	Hornsby	Montgomery	Taylor	
Cooper	James			—21

Nays: —0

The Bill:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

Was read a third time at length and passed.

Yeas 19; Nay 1.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds	
Allen	Evans	Mathews	Roberts	
Bentley	Givhan	Metcalf	Robison (Montgomery)	
Clark	Hammond	Montgomery	Robison (Pickens)	
Cooper	Hornsby	Nichols	Taylor	
				—19

Nay: Mr. James —1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. J. R. 32. Relative to designating the new school building at Skipperville the "George W. Long Skipperville School".

Also:

H. J. R. 42. Relative to memorializing Congress to initiate a constitutional amendment in relation to residential qualifications of United States Senators.

Also:

H. J. R. 43. Relative to expressing regret upon the death of The Honorable Alex E. Brantley.

Also:

H. J. R. 45. Relative to the appointment of Mrs. Clara Stone Fields as Alabama's delegate to the National Convention of the Order of Women Legislators.

Also:

H. J. R. 46. Relative to requesting the Governor of Alabama to issue a proclamation urging Alabamians to exercise caution in driving on highways during Labor Day Weekend.

Also:

H. J. R. 51. Relative to the establishment of a Confederate Memorial Park.

Also:

H. J. R. 49. Relative to expressing regret upon the death of Mr. L. C. Abbott of Shelby County.

Also:

H. 81. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

Also:

H. 91. To amend Sections 773 and 778 of Title 37, Code of Alabama, relating to the publication of zoning ordinances; providing that any zoning ordinance heretofore published in accordance with the provisions of this Act shall be deemed to have been lawfully published.

Also:

H. 123. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2 (b), Act No. 100, Second Special Session 1959.

Also:

H. 134. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate public funds of the county to the USS Alabama Battleship Commission heretofore created for the purposes enumerated in said creation.

Also:

H. 137. Relating to cities having populations of not less than 200,000 nor more than 300,000; providing civil service or merit system status for Chiefs of Police of such cities.

Also:

H. 219. To provide additional judges for the tenth judicial circuit of Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Dumas, further consideration of the Bill, H. B. 276, was indefinitely postponed by the Senate.

On motion of Mr. Givhan, further consideration of the Bill, H. B. 23, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Sullivan:

H. J. R. 54. WHEREAS the National Broadcasting Company by means of both radio and television has repeatedly and consistently presented news regarding the South and Southerners in such a biased and prejudiced manner as to be slanderous to this section of the country and its people; and

WHEREAS the N.B.C. has been diligent in its efforts to twist facts, to cast aspersions, to ridicule, and to belittle the South at every possible opportunity. Newscasters have evidently been instructed or encouraged to select subject matter which may be, and frequently is, distorted and given improper emphases, and to conduct interviews so as to place persons and situations existing in the South in an unfavorable light. Cameramen are quick to divert their lenses from persons or areas which advantageously portray southern interests, and to focus them on less favorable material. Such practices have been particularly noticeable during the current National Democratic Convention. Half truths and intentional deletions of full facts are the rule rather than the exception of these managed news media; and

WHEREAS honest and factual reporting of the news is a duty in the nature of a public trust, and editorial comment should be clearly indicated and kept within the bounds of common decency and fairness by all persons including those who view this region with envy, jealousy, and misguided crusading spirits; and

WHEREAS this duty has not only been neglected by N.B.C. which enjoys a limited monopoly of the air waves, but has been completely disregarded and flagrantly abused by this network in violation of its privileged status; and

WHEREAS the people of the South who want nothing more from national news media than a fair and just reporting of facts, have finally grown not only a little weary and a bit impatient of these undignified, unfair and untrue comments of N. B. C., but are pretty well satiated with such insults. Under current circumstances, Southerners have little recourse against such prejudiced and unprincipled reporting by power hungry, money grubbing, little men of narrow minds whose Achilles heel is the pocket book; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That all Southerners and people who love the South be urged to refuse to patronize the National Broadcasting Company and to refrain from buying products advertised by that company until such time it demonstrates a fair and realistic reporting of all news.

Be It Further Resolved That a copy of this resolution be sent to radio station W.S.F.A.; W.S.F.A.-T.V.; and to the president of the National Broadcasting Company.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 54, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Locke:

H. J. R. 55. WHEREAS the House of Representatives by Resolution No. 168 created a Legislative Textbook Committee the purpose of which was:

“That the purpose of the Legislative Textbook Committee H. R. 163—shall be to conduct interviews during the interim between the 1963 Regular Session and the 1965 Regular Session on the below designated subjects and to report back to the 1965 Regular Session.

The said committee shall:

(a) Investigate or cause to be investigated the textbooks currently used in the public schools in line with charges made that the said books are not books that present our country in a proper light from the standpoint of patriotism, character and religious emphasis.

(b) The committee shall inquire into the reason that only 4 books authored by Alabama teachers are used in the public school system of Alabama. That only 6 books out of 151 adopted and used in the public schools of Alabama are published in the State of Alabama; and shall further inquire into the feasibility of creating a fund to encourage Alabama teachers at the grade school, high school and college level to author books and thereby increase the prestige of the Alabama public school system.”

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING; That for the purpose of carrying out the functions of the above committee the Legislature authorizes an expenditure of not to exceed \$3,000., the cost to be paid upon approval of the chairman of the committee. The members to be paid the regular per diem for each full day of work and authorized to employ help as needed, to be drawn from funds appropriated for legislative expense.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 55, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTION

Mr. Carter offered the following Senate Joint Resolution, to-wit:

S. J. R. 23. BE IT RESOLVED BY THE SENATE, the House concurring, that a committee of three members of the Senate, and three members of the House do wait upon the Governor and inform him of the desire to adjourn sine die and to inquire if he wishes to send any message to both bodies before the sine die adjournment.

On motion of Mr. Carter, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Carter, Nichols and Mathews.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 23. Relative to the sine die adjournment of the two Houses.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Casey, Turner (Crenshaw) and Rogers.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rules Committee:

H. J. R. 56. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two houses adjourn today that they adjourn sine die.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 56, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 22. Relative to legislative advisory and study committee with the Board of Corrections.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. 54. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Also:

S. 131. To apply in all counties having populations of not less than 24,550 nor more than 24,600 and counties contiguous thereto; regulating and providing for attendance of certain pupils at county-line schools.

Also:

S. 140. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Also:

S. 148. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held.

Also:

S. 150. An Act to revive and amend certain parts of Act No. 433 of the Legislature of Alabama of 1963, approved September 2, 1963 (Ala. Acts, 1963, page 963, et seq.)

Also:

S. 153. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Also:

S. 154. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Also:

S. J. R. 19. Establishing an interim legislative committee on the Uniform Commercial Code.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution respectively, and finds same correctly enrolled to-wit:

S. J. R. 22. Establishing a joint legislative advisory and study committee with the Board of Corrections.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTION

Mr. Cooper offered the following Senate Resolution, to-wit:

S. R. 24. Whereas the Senate desires to reconsider the vote by which it passed the Bill, "H. B. 84: Relating to public safety, prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof."

Be it Resolved by the Senate that the House of Representatives be respectfully requested to return the said Bill, H. B. 84, to the Senate.

On motion of Mr. Cooper, said resolution was adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 55. Relative to appropriating the expenses of the Legislative Textbook Committee.

And on motion of Mr. Robison (Pickens), said Resolution was then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 220. TO ALTER, REARRANGE, AND EXTEND THE BOUNDARIES OF THE CITY OF BESSEMER IN JEFFERSON COUNTY, PROVIDING FOR A REFERENDUM ELECTION TO DETERMINE WHETHER THE ACT WILL BECOME EFFECTIVE.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to the request of the Senate, I am returning herewith to the Senate the following House Bill:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate reconsidered the vote by which it passed the Bill, H. B. 84, the title of which is set out in the foregoing Message from the House.

Mr. Cooper then offered the following amendment to the Bill, H. B. 84, to-wit:

Amendment to H. B. 84

Amend H. B. 84 by striking therefrom in the last sentence the words:

“shall be allocated”

and insert in lieu thereof the following:

“is hereby appropriated”

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts	
Allen	Gilchrist	McCain	Robison (Montgomery)	
Bentley	Givhan	Metcalf	Robison (Pickens)	
Carter	Hornsby	Montgomery	Taylor	
Clark	James	Nichols	Tyson	
Cooper	Lolley	Reynolds		—22

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dumas	McCain	Roberts	
Allen	Evans	Metcalf	Robison (Montgomery)	
Bentley	Gilchrist	Montgomery	Robison (Pickens)	
Carter	Givhan	Nichols	Taylor	
Clark	James	Reynolds	Tyson	
Cooper	Lolley			—21

Nays:

—0

APPOINTMENT OF INTERIM COMMITTEES

In accordance with the provisions of S. J. R. 22, heretofore adopted, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Cooper and Clark.

In accordance with the provisions of S. J. R. 19, heretofore adopted, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Mathews, Carter, Roberts and Evans.

In accordance with the provisions of H. J. R. 6, heretofore adopted, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Brannan, Horton, Givhan and Dumas.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Also:

H. 11. To provide additional meeting days for boards of registrars under certain conditions and to authorize county governing bodies to provide supplies and clerical assistance necessary to carry out the purposes of the meetings.

Also:

H. 210. To amend Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to authorize any relative of a child to appoint by his last will and testament the mother or father as guardian; and giving the amendment retroactive effect.

Also:

H. 277. To amend Section 103 of Title 13, 1940 Code of Alabama, as amended, relating to the salary of Judges of the Court of Appeals.

Also:

H. 141. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Also:

H. 269. Relating to counties with cities having populations of not less than 200,000 nor more than 300,000; regulating further the compensation of the judge of certain inferior civil courts.

Also:

H. 270. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census.

Also:

H. 271. Providing further for the compensation of members of the board of registrars in counties having not less than 48,500 nor more than 49,500 population according to the last or any subsequent federal decennial census.

Also:

H. 274. To apply in counties having populations of not less than 19,500 nor more than 20,000; providing expense allowances for the chairman or presiding judge and members of the court of county commissioners, board of revenue, or other like governing body of the county.

Also:

H. 275. To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Also:

H. 279. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Also:

H. 182. To provide for removal of prisoners from one municipal jail to another jail under certain specified conditions.

Also:

H. 280. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer;" to provide further for the compensation of the chief clerk in the office of the sheriff.

Also:

H. 281. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the judge of probate of said county (Acts 1955, v. 1, p. 335).

Also:

H. 283. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Also:

H. 284. To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Also:

H. 124. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Also:

H. 264. Relating to taxation; further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); exempting the Alabama Masonic Home and all its real and personal property from any and all state, county, and municipal taxes, licenses, fees, and charges of any nature whatsoever.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, and House Joint Resolution, your signature thereto is requested.

H. 278. Relating to the City of Mobile, establishing a pension and relief system for City police and fire department members, creating a Policemen's and Fire Fighter's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Also:

H. J. R. 55. Relative to the Legislative Textbook Committee.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 84. Relating to public safety; prescribing additional penalties for certain traffic offenses and appropriating the proceeds thereof.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 220. TO ALTER, REARRANGE, AND EXTEND THE BOUNDARIES OF THE CITY OF BESSEMER IN JEFFERSON COUNTY, PROVIDING FOR A REFERENDUM ELECTION TO DETERMINE WHETHER THE ACT WILL BECOME EFFECTIVE.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S.J.R. 3 Delivered to the Governor August 12, 1964, at 9:05 A.M.

S.J.R. 6 Delivered to the Governor August 19, 1964, at 12:00 N.

S.J.R. 7 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 5 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 8 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 9 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 13 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 15 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 26 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 61 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 64 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 65 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 66 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 69 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 70 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 89 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 90 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 91 Delivered to the Governor August 19, 1964, at 12:00 N.

S.B. 73 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.B. 87 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.B. 120 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.B. 121 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.B. 125 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.B. 127 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.B. 128 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.B. 129 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.B. 131 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.J.R. 10 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.J.R. 11 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.J.R. 12 Delivered to the Governor August 21, 1964, at 10:25 A.M.
S.B. 85 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 100 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 101 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 104 Delivered to the Governor August 25, 1964, at 2:25 P.M.
~~S.B. 107 Delivered to the Governor August 25, 1964, at 2:25 P.M.~~
S.B. 113 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 122 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 123 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 137 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 58 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 59 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 68 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 77 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 78 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 86 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 92 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 133 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.J.R. 16 Delivered to the Governor August 25, 1964, at 2:25 P.M.
S.B. 13 Delivered to the Governor August 28, 1964, at 10:25 A.M.
S.B. 19 Delivered to the Governor August 28, 1964, at 10:25 A.M.
S.B. 88 Delivered to the Governor August 28, 1964, at 10:25 A.M.
S.B. 119 Delivered to the Governor August 28, 1964, at 10:25 A.M.
S.J.R. 20 Delivered to the Governor August 28, 1964, at 10:25 A.M.
S.B. 54 Delivered to the Governor August 28, 1964, at 12:50 P.M.

S.B. 131 Delivered to the Governor August 28, 1964, at 12:50 P.M.

S.B. 140 Delivered to the Governor August 28, 1964, at 12:50 P.M.

S.B. 148 Delivered to the Governor August 28, 1964, at 12:50 P.M.

S.B. 150 Delivered to the Governor August 28, 1964, at 12:50 P.M.

S.B. 153 Delivered to the Governor August 28, 1964, at 12:50 P.M.

S.B. 154 Delivered to the Governor August 28, 1964, at 12:50 P.M.

S.J.R. 19 Delivered to the Governor August 28, 1964, at 12:50 P.M.

S.J.R. 22 Delivered to the Governor August 28, 1964, at 12:50 P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to the provisions set out in House Joint Resolution No. 6, the Speaker of the House has appointed Messrs. Crawford, Hogan, Owens, Paulk and Hester.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to the provisions set out in Senate Joint Resolution No. 19, the Speaker of the House has appointed Messrs. Engel, Snell, Holladay, Collins and Burnham.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to the provisions set out in Senate Joint Resolution No. 22, the Speaker of the House has appointed Messrs. Cook, Harper and Pierce.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirteenth Legislative Day and finds same cor-

rect and containing all original entries and references thereto required by the Constitution.

WILLIAM C. McCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Thirteenth Legislative Day was approved by the Senate.

ADJOURNMENT

At 1:38 P.M., on motion of Mr. Shelton, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

JAMES B. ALLEN,
Lieutenant Governor and President and
Presiding Officer of the Senate

ATTEST:

McDOWELL LEE,
Secretary of the Senate

LEGISLATIVE DAYS

FIRST EXTRAORDINARY SESSION 1964

<i>Legislative Days—Calendar Days</i>	<i>Page</i>
FIRST DAY—Tuesday, August 4.....	3
SECOND DAY—Wednesday, August 5.....	39
THIRD DAY—Thursday, August 6.....	64
FOURTH DAY—Tuesday, August 11.....	67
FIFTH DAY—Wednesday, August 12.....	90
SIXTH DAY—Thursday, August 13.....	174
SEVENTH DAY—Friday, August 14.....	191
EIGHTH DAY—Tuesday, August 18.....	242
NINTH DAY—Wednesday, August 19.....	291
TENTH DAY—Thursday, August 20.....	323
ELEVENTH DAY—Friday, August 21.....	339
TWELFTH DAY—Tuesday, August 25.....	421
THIRTEENTH DAY—Friday, August 28.....	454

INDEX TO FIRST EXTRAORDINARY SESSION

ABBOTT, L. C.

Mourning Death of—

HJR 49, pages 447, 442

ABSENTEE VOTING

National guard and other reserve components, regulating absentee voting by persons in—

HB 236, pages 303, 330, 405, 436

SB 132, pages 69, 94

ACTS AMENDED GENERAL ACTS

1923 Acts, Act No. 502, p. 663, creating a policemen's pension and relief fund in cities 100,000 population or more—

HB 68, pages 98, 183, 222, 395

SB 22, pages 13, 49, 157

1943 Acts, Act No. 120, p. 121, creating an additional judgeship for the fourth judicial circuit

HB 23, pages 263, 296, 473

SB 87, pages 33, 55, 150, 316, 319, 484

1945 Acts, Act No. 515, p. 734, creating the "Employees' Retirement System of Alabama"—

HR 168, page 275

SB 58, pages 25, 234, 279, 404, 425, 484

1947 Acts, Act No. 414, p. 304, levying a tobacco tax in counties 400,000 population or more—

HB 41, pages 132, 177, 203, 401

SB 18, pages 11, 48, 153, 347

1949 Acts, Act No. 648, p. 991, providing for the industrial development of municipalities—

HB 107, pages 286, 296, 407, 432

HB 136, page 274

SB 115, page 46

SB 133, pages 69, 185, 278, 405, 426, 484

1951 Acts, Act No. 47, p. 259, providing educational benefits for veterans and their dependents—

SB 12, page 7

1951 Acts, Act No. 695, p. 1198, providing for the registration and purgation of voters in counties 400,000 population or more—

HB 43, pages 132, 180, 213, 398

SB 52, pages 24, 53, 173

1951 Acts, Act No. 756, p. 1307, providing for the industrial development of municipalities—

HB 106, pages 285, 296, 406, 431

SB 117, page 46

1951 Acts, Act No. 929, p. 1579, creating an employees' retirement and pension system in cities 250,000 population or more—

HB 69, pages 99, 183, 223, 395

SB 23, pages 14, 49, 157

1953 Acts, Act No. 489, p. 616, creating the office of license inspector in counties 225,000 to 400,000 population—

HB 122, pages 103, 180, 214, 398

ACTS AMENDED GENERAL ACTS (Continued)

- 1953 Acts, Act No. 688, p. 940, regulating the operation of four-wheel trailers on the highways—
HB 36, page 301
- 1955 Acts, Act No. 201, p. 492, regulating the assignment and placement of pupils to schools—
HB 267, page 423
- 1955 Acts, Act No. 210, p. 515, providing for the compensation of the solicitor in judicial circuits composed of one county and having not less than one nor more than four judges—
HB 130, pages 104, 181, 217, 393
- 1955 Acts, Act No. 312, p. 710, creating a solicitor's fund in the eighth judicial circuit—
HB 191, pages 269, 330, 376, 434
- 1955 Acts, Act No. 345, p. 783, creating a domestic relations division of the circuit court in counties 225,000 to 500,000—
HB 129, pages 104, 181, 216, 393
- 1955 Acts, Act No. 452, p. 1004, providing for a mayor-council form of government in cities 200,000 population or more—
HB 50, pages 134, 177, 205, 379
SB 31, pages 16, 51, 162
- 1957 Acts, Act No. 396, p. 549, known as the "Alabama Uniform Gifts to Minors Act"—
HB 141, pages 305, 423, 464, 480
SB 76, pages 30, 91
- 1957 Acts, Act No. 420, p. 586, fixing the compensation of the deputy circuit clerk of the tenth judicial circuit—
HB 63, pages 96, 183, 220, 394
SB 44, pages 20, 52, 170
- 1957 Acts, Act No. 554, p. 774, creating the committee on the aging—
HB 200, page 303
SB 92, pages 36, 91, 281, 403, 404, 425, 484
- 1959 Acts, Act No. 108, p. 612, regulating the practice of chiropractors—
HB 159, pages 301, 330, 373, 432
- 1959 Acts, Act No. 556, p. 1376, providing retirement and relief benefits for policemen and firemen in cities 250,000 population or more—
HB 70, pages 99, 183, 223, 313, 402
SB 24, pages 14, 50, 158
- 1961 Acts, Act No. 47, p. 1904, exempting certain organizations from state, county, and municipal licenses, taxes, and fees—
HB 264, pages 410, 414, 422, 461, 475, 481
SB 54, pages 25, 187, 233, 406, 463, 476, 484
HB 83, page 303
- 1961 Acts, Act No. 171, p. 2124, providing an expense allowance for members of the governing body of counties 24,525 to 24,675 population—
SB 65, pages 28, 55, 147, 290, 299, 483

ACTS AMENDED GENERAL ACTS (Continued)

- 1961 Acts, Act No. 190, p. 230, fixing the compensation of the clerk and members of the jury commission in counties 96,000 to 106,000 population—
HB 207, pages 276, 361, 435
- 1961 Acts, Act No. 252, p. 2265, creating the office of license commissioner in counties 300,000 to 500,000 population—
HB 131, pages 104, 181, 217, 393
- 1961 Acts, Act No. 460, p. 497, fixing the compensation and providing for the duties of members of the governing body in cities 32,500 to 33,500 population—
HB 51, pages 134, 177, 205, 399
SB 32, pages 16, 51, 162
- 1961 Acts, Act No. 663, p. 827, regulating elections in cities and towns except those having a commission form of government—
SB 19, pages 11, 48, 153, 442, 455, 484
- 1961 Acts, Act No. 934, p. 1506, providing for a program of tax equalization of real property in counties 300,000 to 500,000 population—
SB 139, pages 91, 181, 217
- 1962 Acts, Act No. 161, p. 206, making an appropriation for capital improvements at Gulf state park—
HB 1, pages 376, 377, 422, 463, 479
SB 63, pages 29, 234, 281, 405, 425, 484
- 1963 Acts, Act No. 92, p. 157, levying a tax on beer—
HB 113, pages 254, 294, 338, 392
- 1963 Acts, Act No. 218, p. 615, regulating the assessment of real property in counties 300,000 to 500,000 population—
HB 128, pages 104, 181, 216, 393
- 1963 Acts, Act No. 297, p. 768, providing exemptions from state, county and municipal taxes and licenses—
HB 83, page 303
SB 54, pages 25, 187, 233, 406, 463, 476, 484
- 1963 Acts, Act No. 433, p. 963, providing for the retirement of assistants to the sheriff in counties 400,000 population or more—
HB 276, pages 390, 423, 472
SB 150, pages 243, 293, 345, 462, 476, 485

ACTS AMENDED LOCAL ACTS

- Butler County, 1951 Acts, Act No. 27, p. 235, creating the inferior court—
SB 61, pages 26, 54, 147, 290, 299, 483
- Dale County, 1955 Acts, Act No. 299, p. 697, fixing the compensation and expense allowance for members of the court of county commissioners—
HB 22, pages 107, 179, 227, 399
- DeKalb County, 1961 Acts, Act No. 418, p. 437, creating the county court—
SB 85, pages 31, 91, 229, 390, 418, 484
- Jefferson County, 1953 Acts, Act No. 333, p. 387, creating a jury board—
HB 38, pages 130, 176, 201, 401
SB 49, pages 22, 53, 172

ACTS AMENDED LOCAL ACTS (Continued)

- Jefferson County, 1957 Acts, Act No. 421, p. 587, providing for the appointment and compensation of an assistant to the sheriff of the Bessemer division of Jefferson County—
HB 58, pages 137, 178, 207, 400
SB 39, pages 18, 52, 168
- Mobile County, 1939 Acts, Act No. 594, p. 355, placing the sheriff on a salary basis—
HB 280, pages 378, 390, 424, 469, 481
- Mobile County, 1955 Acts, Act No. 13, p. 122, providing for the appointment and compensation of an assistant county treasurer—
HB 119, pages 102, 180, 213, 398
- Mobile County, 1955 Acts, Act No. 87, p. 335, regulating the office of judge of probate—
HB 281, pages 380, 390, 424, 470, 481
- Mobile County, 1957 Acts, Act No. 216, p. 273, providing for the appointment and compensation of bailiffs for the court of general sessions—
HB 118, pages 312, 331, 364, 432
- Mobile County, 1959 Acts, Act No. 164, p. 688, providing for uniforms for deputies to the sheriff—
HB 279, pages 389, 390, 424, 466, 480
- Pike County, 1951 Acts, Act No. 258, p. 539, authorizing a deputy tax collector for the county—
HB 151, pages 125, 179, 209, 397
- Pike County, 1951 Acts, Act No. 259, p. 540, authorizing a deputy tax assessor for the county—
HB 50, pages 134, 177, 205, 379
- Pike County, 1955 Acts, Act No. 148, p. 394, providing for the appointment and compensation of a deputy circuit clerk—
HB 153, pages 127, 179, 210, 397
- Pike County, 1961 Acts, Act No. 332, p. 358, providing for the appointment and compensation of a clerk of the juvenile court—
HB 152, pages 126, 179, 210, 397
- St. Clair County, 1955 Acts, Act No. 218, p. 529, fixing the compensation of deputies to the sheriff—
HB 154, pages 128, 179, 211, 397

ACTS REPEALED GENERAL ACTS

- 1951 Acts, Act No. 804, p. 1401, providing for the pardon or parole of person whose sentence has been commuted to life imprisonment—
SB 84, page 31

ACTS REPEALED LOCAL ACTS

- Butler County, 1957 Acts, Act No. 325, p. 429, providing an expense allowance for the judge of inferior court—
SB 64, pages 27, 54, 147, 290, 299, 483

ADAMS, SENATOR CHARLES H.

- Expressing regret on illness of—
SJR 16, pages 407, 415, 426, 484
- Telegram from—resigning as Chairman of Rules Committee—
page 321

ADMINISTRATION OF ESTATES

Settlement by consent without notice—
HB 185, page 304

AD VALOREM TAX

See also: BOARD OF EQUALIZATION; REAL PROPERTY;
TAXATION

Counties 500,000 population or more, assessment of property annexed
to municipalities within—
HB 37, pages 130, 176, 341, 342, 391, 392

Mobile County, for hospital purposes, authorizing levy of—
HB 139, pages 263, 294, 370, 438

AGRICULTURAL AND MECHANICAL INSTITUTE FOR NEGROES

Bonds for construction of library at, authorizing issuance of—
SB 126, page 68

AGRICULTURE

Appropriation, construction of livestock pavilion barn at state fair
grounds—
HB 181, page 275
SB 119, pages 46, 233, 280, 443, 455, 484

Northeast Alabama farmers market, appropriation—
SB 144, pages 232, 252

Trailers, four-wheel, two-axle, regulating operation of—
HB 36, page 301

AGRICULTURE AND INDUSTRIES, COMMISSIONER OF

Succession to office, authorized, CA—
SB 71, pages 30, 47, 82

AGRICULTURE AND INDUSTRIES, STATE DEPARTMENT OF

Meat and meat products, imported, requiring identification of—
SB 124, pages 68, 252

ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD

"Hotel," definition of—
HB 132, page 303

ALABAMA BATTLESHIP COMMISSION

Counties authorized to make appropriations to—
HB 134, pages 305, 331, 421, 451, 472
SB 141, pages 175, 235, 308

ALABAMA EDUCATION AUTHORITY

Bonds for construction of library at agricultural and mechanical in-
stitute for negroes, authorized—
SB 126, page 68

ALABAMA MASONIC HOME

Exemption from licenses, taxes, and fees—
HB 264, pages 410, 414, 422, 461, 475, 481

ALABAMA RIVER

Appropriation, survey of mineral, water, and petroleum resources
of counties within basin of—
SB 62, pages 27, 48

ALABAMA TRADE SCHOOL AND JUNIOR COLLEGE AUTHORITY

Bonds, issuance of—
HB 112, pages 236, 251, 334, 335, 336, 337, 338, 341, 391
Interim legislative committee on trade schools and junior colleges,
created—
HB 112, pages 236, 251, 334, 335, 336, 337, 338, 341, 391

ALABAMA UNIFORM GIFTS TO MINOR ACT

Savings and loan associations covered under—
SB 76, pages 30, 91

ALCOHOLIC BEVERAGES

Beer tax, collection and distribution of proceeds—
HB 113, pages 254, 294, 338, 392
“Hotel,” definition of
HB 132, page 303

ALISON, DOCTOR SAMUEL BEEKMAN

Mourning death of—
HJR 36, pages 270, 319

ALLEN, LIEUTENANT-GOVERNOR JAMES B.

Extending congratulations on marriage of—
SJR 3, pages 64, 83, 88, 483

AMERICAN LEGION

Commended for efforts on behalf of enshrinement of battleship
USS Alabama—
SJR 20, pages 428, 444, 456, 484

ANNISTON, CITY OF

Privilege license taxes, collection and enforcement of—
HB 171, pages 268, 329, 363, 433
SB 127, pages 68, 93, 196, 311, 320, 484

APARTMENT OWNERSHIP

Providing for—
HB 81, pages 275, 292, 452, 458, 472
SB 130, page 69

APPEALS, COURT OF

See: COURT OF APPEALS

APPROPRIATION

Alabama, Mobile, and Tombigbee river basins, for survey of mineral,
water, and petroleum resources of—
SB 62, pages 27, 48
Chiropractic examiners, state board of—
HB 193, pages 300, 330, 374, 434

APPROPRIATION (Continued)

Coosa and Tennessee river basins, survey of mineral, water, and petroleum resources of—
SB 135, pages 70, 252

Fair grounds, state, construction of livestock pavilion barn at—
HB 181, page 275
SB 119, pages 46, 233, 280, 443, 455, 484

Gulf state park, construction of fishing pier at—
HB 1, pages 376, 377, 422, 463, 479
SB 68, pages 29, 234, 281, 405, 425, 484

Legislature—
HB 111, pages 89, 94, 187, 192
SB 94, pages 36, 56, 81

Northeast Alabama farmers market—
SB 144, pages 232, 252

Southern Union college, appropriation for acquisition of—
SB 113, pages 233, 281, 377, 419, 484

White house association—
SB 78, pages 30, 56, 280, 405, 425, 484

ARRESTS

Search warrants, issuance of—
SB 155, pages 250, 292

ASSAULT AND BATTERY

Penalty for—
HB 86, page 305

ASSESSMENT

See also: AD VALOREM TAX; BOARD OF EQUALIZATION;
REAL PROPERTY; TAXATION—

Counties 300,000 to 500,000 population, period for assessment of real property—
HB 128, pages 104, 181, 216, 393

Counties 500,000 population or more, assessment of property annexed to municipalities within—
HB 37, pages 130, 176, 341, 342, 391, 392

ATTORNEYS

State bar, method of becoming members of—
HB 237, page 300

AUBURN UNIVERSITY

Draughon, doctor Ralph Brown, expressing appreciation to—
HJR 33, pages 255, 319

AUDITOR, STATE

Succession to office, authorized, CA—
SB 71, pages 30, 47, 82

BAILIFFS

Counties 76,000 to 96,000 population, compensation—
HB 262, pages 301, 332, 366, 438

BAILIFFS (Continued)

Judicial circuits composed of one county and having three or more judges, compensation—

HB 124, pages 103, 180, 214, 398, 458, 459, 481

Judicial circuits composed of one county 65,000 to 95,000 population, appointment and compensation—

HB 158, pages 129, 179, 211, 397

SB 10, pages 7, 54, 143

Mobile County court of general sessions, appointment and compensation—

HB 118, pages 312, 331, 364, 432

BALDWIN COUNTY

Board of registrars, compensation of members—

HB 271, pages 378, 390, 423, 465, 480

Court of county commissioners, compensation of members—

HB 270, pages 378, 390, 423, 465, 480

Hunting preserves, private, licensing and regulation of—

HB 221, pages 277, 326, 374, 435

BALLOTS

Counties 24,800 to 25,400 population, providing for the use of paper ballots at certain elections—

HB 155, pages 129, 180, 212, 233, 397

BANKS AND BANKING

“Alabama Uniform Gifts to Minors Act,” savings and loan associations covered under—

HB 141, pages 305, 423, 464, 480

SB 76, pages 30, 91

Counties 10,000 to 12,000 population, authorizing branch banks—

HB 238, pages 272, 327, 353, 436

Counties 110,000 to 160,000 population, authorizing branch banks—

HB 160, pages 130, 185, 194, 283

SB 105, pages 43, 92

BAY MINETTE KEY CLUB

Commended—

HJR 24, pages 141, 192

BEER TAX

Collection and distribution of proceeds—

HB 113, pages 254, 294, 338, 392

BESSEMER, CITY OF

Boundaries altered—

HB 220, pages 302, 423, 466, 478, 483

Governing body, compensation and duties of members—

HB 51, pages 134, 177, 205, 399

SB 32, pages 16, 51, 162

BESSEMER COUNTY COURT

Establishment of—

HB 47, pages 132, 182, 218, 393

SB 21, pages 12, 49, 156

BIRMINGHAM, CITY OF

City magistrate, creating office of—

HB 73, pages 99, 184, 224, 395

SB 27, pages 14, 50, 159

Employees retirement and relief fund, contributions and benefits under—

HB 69, pages 99, 183, 223, 395

SB 23, pages 14, 49, 157

Governing body, expense allowance for members of—

HB 76, pages 101, 184, 204, 313, 402

SB 51, pages 24, 53, 173

Mayor, authorizing radio equipped motor vehicle for—

HB 48, pages 134, 175, 199, 400

SB 56, pages 25, 53, 173

Mayor, compensation—

HB 50, pages 134, 177, 205, 379

SB 31, pages 16, 51, 162

Mayor, expense allowance for—

HB 49, pages 134, 177, 203, 313, 401

SB 30, pages 16, 50, 160

Pension system, class suits against board of trustees of—

HB 188, pages 254, 295, 348, 433

Policemen, payment of certain medical expenses incurred by persons assisting—

HB 44, pages 132, 180, 213, 398

SB 17, pages 11, 48, 153

Policemen's pension and relief system, benefits payable under—

HB 68, pages 98, 183, 222, 395

SB 22, pages 13, 49, 157

BLOUNT COUNTY

Election officials, compensation—

HB 4, page 105

SB 70, pages 29, 55, 148, 290, 299, 483

Jurors, compensation—

HB 3, page 105

SB 69, pages 29, 55, 148, 290, 299, 483

BOARD OF EDUCATION, CITY

Assignment or placement of pupils in public schools, regulated—

HB 267, page 423

Cities 50,000 to 60,000 population, qualifications of members—

HB 209, pages 276, 329, 362, 415, 435

Schools, physical examination of children attending—

HB 286, page 449

BOARD OF EDUCATION, COUNTY

See also: EDUCATION; SCHOOLS; SUPERINTENDENT OF EDUCATION, COUNTY; name of specific county—

Assignment or placement of pupils in public schools, regulated—

HB 267, page 423

BOARD OF EDUCATION, COUNTY (Continued)

Counties 14,400 to 14,900 population, election and compensation of members—

HB 167, pages 267, 297, 359, 377

Counties 24,550 to 24,600 population, attendance of pupils at county-line schools—

HB 222, pages 71, 326, 356

SB 131, pages 69, 93, 197, 311, 320, 457, 460, 476, 484, 485

Counties 96,000 to 106,000 population, qualifications of members of—

HB 208, pages 276, 329, 361, 416, 435

Counties 500,000 population or more, naming of school buildings—

HB 77, pages 102, 184, 225, 396

Schools, physical examination of children attending—

HB 286, page 449

BOARD OF EDUCATION, STATE

Assignment or placement of pupils in public schools, regulated—

HB 267, page 423

Schools, physical examination of children attending—

HB 286, page 449

BOARD OF EQUALIZATION

Counties 25,500 to 25,700 population, compensation of members—

HB 242, pages 273, 327, 354, 436

Counties 31,500 to 33,500 population, compensation of members—

HB 229, pages 272, 326, 352, 436

Counties 150,000 to 300,000 population, appointment of members—

HB 230, pages 286, 326, 351, 436

Jefferson County, duties, term of service, and compensation of members—

HB 261, pages 286, 328, 357, 416, 437

BOARD OF REGISTRARS

See also: ELECTIONS; PRIMARY ELECTIONS; REGISTRATION OF VOTERS; VOTERS—

Counties 25,500 to 25,700 population, compensation of members—

HB 243, pages 273, 327, 354, 437

Counties 26,000 to 27,000 population, meetings, supplies, and clerical assistance—

SB 147, pages 232, 251, 344

Counties 31,500 to 33,500 population, compensation of members—

HB 228, pages 272, 326, 351, 435

Counties 38,000 to 45,000 population, compensation of members—

SB 137, pages 70, 93, 230, 391, 419, 484

Counties 48,500 to 49,500 population, compensation of members—

HB 271, pages 378, 390, 423, 465, 480

Counties 65,000 to 95,000 population, appointment and compensation of clerk—

SB 9, pages 7, 54, 144, 290, 298, 483

BOARD OF REGISTRARS (Continued)

Counties 96,000 to 106,000 population, meetings of—
HB 203, pages 276, 329, 359, 415, 435

Counties 100,000 to 115,000 population, reidentification of voters—
HB 195, pages 269, 295, 344, 416, 434

Counties 150,000 to 300,000 population, compensation of members—
HB 232, pages 286, 227, 352, 436

Counties 150,000 to 300,000 population, meetings of—
HB 202, pages 311, 331, 365, 434

Counties 300,000 to 500,000 population, compensation of members—
HB 126, pages 103, 181, 215, 398

Counties 400,000 population or more, meetings of—
HB 43, pages 132, 180, 213, 398
SB 52, pages 24, 53, 173

Greene County, compensation of members—
SB 89, pages 33, 55, 150, 291, 299, 483

Judicial circuits composed of one county less than 500,000 population and having two courthouses where circuit court is required to be held, office space, supplies, and clerical assistance for—
HB 268, page 312
SB 148, pages 232, 251, 374, 462, 476, 485

Meetings and compensation of members—
SB 114, pages 46, 252

Registration of voters, authorized to regulate, subject to approval of state sovereignty commission—
HB 11, pages 414, 422, 463, 479

BOARD OF REVENUE

See also: COUNTY COMMISSION; COURT OF COUNTY COMMISSIONERS; name of county governing body; name of specific county—

Counties 19,500 to 20,000 population, expense allowance for members—
HB 274, pages 376, 377, 423, 465, 480

Counties 22,500 to 24,550 population, compensation and expense allowance of members—
HB 184, pages 268, 329, 375, 433

Jackson County, employment of criminal investigator—
SB 111, pages 44, 92, 193

Winston County, expense allowance for members—
HB 163, pages 267, 295, 348, 432

BOARD OF REVENUE AND CONTROL

Counties 57,000 to 61,500 population, compensation of members and chairman—
HB 147, pages 122, 184, 226, 396

BONDS

Agricultural and mechanical institute for negroes, authorizing issuance of bonds for construction of library at—
SB 126, page 68

BONDS (Continued)

Alabama trade school and junior college authority authorized to issue—

HB 112, pages 236, 251, 334, 335, 336, 337, 338, 341, 391

Counties, sale and issuance of, CA—

SB 4, pages 5, 47, 298

Requiring approval of voters before issuance of, CA—

SB 6, pages 7, 47, 317, 325, 332, 339

BOUNDARIES

Colbert County, town of Littleville, altered—

HB 18, pages 263, 294, 430

Etowah County, city of Gadsden, altered—

HB 29, pages 264, 328, 357, 430

HB 30, pages 266, 328, 359, 430

Etowah County, city of Glencoe, altered—

HB 30, pages 266, 328, 359, 430

Etowah County, town of Rainbow City, altered—

HB 29, pages 264, 328, 357, 430

Jefferson County, city of Bessemer, altered—

HB 220, pages 302, 423, 466, 478, 483

Lamar County, town of Sulligent, altered—

HB 95, pages 110, 250, 343, 392

Lauderdale County, city of Florence, altered—

HB 99, pages 112, 178, 226, 399

Morgan County, city of Decatur, altered—

HB 148, pages 122, 179, 209, 396

SB 5, pages 5, 53, 144, 289, 298, 483

Morgan County, town of Hartselle, altered—

HB 190, pages 268, 330, 375, 434

Morgan County, town of Trinity, altered—

HB 149, pages 123, 179, 209, 396

Pike County, city of Troy, altered—

HB 254, pages 287, 327, 355, 437

BOWERS, REPRESENTATIVE QUINTON R.

Extending congratulations to—

HJR 18, pages 84, 188

BRANTLEY, ALEX E.

Mourning death of—

HJR 43, pages 446, 471

BULLOCK COUNTY

Hunting preserves, private, licensing and regulation of—

HB 213, page 276

SB 121, pages 46, 93, 196, 311, 320, 484

Judge of probate, tax assessor, and tax collector, clerk-hire allowance—

HB 5, pages 105, 185, 226, 396

SB 74, pages 30, 55, 149

BUTLER COUNTY

County-line schools, attendance of pupils at—

HB 222, pages 71, 326, 356

SB 131, pages 69, 93, 197, 311, 320, 457, 460, 476, 484, 485

Court of county commissioners, expense allowance for members of—

SB 65, pages 28, 55, 147, 290, 299, 483

Inferior court, compensation of judge—

SB 61, pages 26, 54, 147, 290, 299, 483

Inferior court, repealing provision for expense allowance for judge of—

SB 64, pages 27, 54, 147, 290, 299, 483

Till, Joseph H., Jr., relief of—

SB 66, pages 28, 55, 148, 290, 299, 483

CALHOUN COUNTY

Anniston, city of, collection and enforcement of privilege license taxes—

HB 171, pages 268, 329, 363, 433

SB 127, pages 68, 93, 196, 311, 320, 484

Bailiffs, compensation—

HB 262, pages 301, 332, 366, 438

Circuit clerk, tax assessor, and tax collector, compensation—

HB 247, page 273

Conditional sales contracts, recordation of—

HB 143, pages 273, 327, 354, 437

SB 77, pages 30, 57, 271, 404, 425, 484

County court, compensation of judge—

HB 263, pages 289, 328, 356, 438

Judge of probate, compensation and expense allowance—

HB 246, pages 273, 327, 355, 437

Sheriff, appointment and compensation of deputies—

HB 245, pages 273, 327, 354, 437

CAMP, COMMANDER WILLIAM B.

Extending congratulations to—

HJR 41, pages 441, 456

CAPITOL, STATE

Walls in north wing of, repair of—

SR 8, page 143

CATTLE

Meat and meat products, imported, requiring identification of—

SB 124, pages 68, 252

CEMETERIES

Ancient, authorizing cities to provide for protection, care, and maintenance of—

SB 138, page 90

CHILDREN

Counties 100,000 to 115,000 population, regulating operation of child care institutions—

HB 196, pages 269, 296, 349, 434

HB 214, pages 277, 330, 364, 435

Delinquency of, penalty for contributing to—

HB 89, page 305

Enticing for immoral purposes, penalty for—

HB 88, page 305

CHILTON COUNTY

Board of equalization, compensation of members—

HB 242, pages 273, 327, 354, 436

Board of registrars, compensation of members—

HB 243, pages 273, 327, 254, 437

Coroner, compensation—

HB 240, pages 273, 327, 353, 436

Jurors, compensation—

HB 241, pages 273, 327, 353, 436, 464

CHIROPRACTIC EXAMINERS, STATE BOARD OF

Appropriation—

HB 193, pages 300, 330, 374, 434

CHIROPRACTORS

Certificate of qualification, fee for renewal of—

HB 159, pages 301, 330, 373, 432

CIRCUIT CLERK

See also: CIRCUIT COURT; JUDICIAL CIRCUITS; specific judicial circuit; specific counties and counties on a population basis—

Counties 76,000 to 96,000 population, compensation—

HB 247, page 273

Counties 500,000 population or more, compensation—

HB 64, pages 97, 183, 221, 394

SB 45, pages 21, 52, 170

Funds held by, investment of—

SB 75, page 30

Pike County, compensation of deputy to—

HB 153, pages 127, 179, 210, 397

CIRCUIT COURT

See also: BAILIFFS; CIRCUIT CLERK; JUDGE, CIRCUIT; JUDICIAL CIRCUITS; REGISTER, CIRCUIT COURT; SOLICITOR, CIRCUIT; specific judicial circuit; specific counties and counties on a population basis—

Circuit clerk, authorizing investment of funds held by—

SB 75, page 30

Counties 57,000 to 61,000 population, compensation of court reporters—

HB 146, pages 122, 179, 208, 396

CIRCUIT COURT (Continued)

Counties 100,000 to 115,000 population, granting of probation in—
SB 13, pages 8, 54, 146, 290, 298, 428, 429, 442, 455, 483, 484

Counties 125,000 to 225,000 population, issuance of warrants and administering of oaths in domestic relations division of—
HB 260, page 312

Counties 225,000 to 500,000 population, compensation of deputy register of domestic relations division of—
HB 129, pages 104, 181, 216, 393

Counties 600,000 population or more, compensation of register—
HB 61, pages 95, 182, 220, 394
SB 42, pages 20, 52, 169

Judicial circuits composed of one county 65,000 to 95,000 population, appointment and compensation of bailiffs—
HB 158, pages 129, 179, 211, 397
SB 10, pages 7, 54, 145

Register, authorizing investment of funds held by—
SB 75, page 30

Sixth judicial circuit, establishment of circuit court fund—
SB 14, page 8

CIRCUIT SOLICITOR

See: SOLICITOR, CIRCUIT—

CITIES GENERAL LAWS

Cemeteries or burial grounds, ancient, protection, care, and maintenance of—
SB 138, page 90

Commission form of government, adoption of—
HB 92, pages 285, 293, 346, 431
SB 53, pages 24, 186, 231

Industrial development boards, manufacture, process, or assembly of mineral products—
HB 136, page 274
SB 133, pages 69, 185, 278, 405, 426, 484

Industrial development, research included under definition of term "project"—
HB 106, pages 285, 296, 406, 431
HB 107, pages 286, 296, 407, 432
SB 115, page 46
SB 117, page 46

Jails, removal of prisoner to another jail—
HB 182, pages 304, 424, 471, 480

Zoning ordinances, validating publication of—
HB 91, pages 285, 307, 452, 472

CITIES 10,275 TO 10,875 POPULATION

County court established for precincts within, compensation of judge—
SB 15, pages 8, 54, 146, 290, 299, 483

CITIES 28,000 TO 29,000 POPULATION

Mayor, compensation—
SB 88, pages 33, 251, 308, 442, 455, 484

CITIES 32,500 TO 33,500 POPULATION

Governing body, compensation and duties of members—
HB 51, pages 134, 177, 205, 399
SB 32, pages 16, 51, 162

CITIES 50,000 TO 60,000 POPULATION

Board of education, qualification of members—
HB 209, pages 276, 329, 362, 415, 435

CITIES 100,000 POPULATION OR MORE

Policemen's pension and relief fund, benefits payable under—
HB 68, pages 98, 183, 222, 395
SB 22, pages 13, 49, 157

CITIES 130,000 POPULATION OR MORE

Pension system, class suits against board of trustees of—
HB 188, pages 254, 295, 348, 433

CITIES 200,000 TO 300,000 POPULATION

Chief of police, merit system status for—
HB 137, pages 104, 251, 369, 418, 450, 451, 472

CITIES 200,000 POPULATION OR MORE

Mayor, compensation of—
HB 50, pages 134, 177, 205, 379
SB 31, pages 16, 51, 162

CITIES 250,000 POPULATION OR MORE

Employees retirement and relief fund, contributions and benefits under—
HB 69, pages 99, 183, 223, 395
SB 23, pages 14, 49, 157

Policemen and firemen, benefits payable under retirement and relief system—
HB 70, pages 99, 183, 223, 313, 402
SB 24, pages 14, 50, 158

CITIES 300,000 POPULATION OR LESS

Elections, regulating conduct of—
SB 19, pages 11, 48, 153, 442, 455, 484

CITIES 300,000 POPULATION OR MORE

City magistrate, creating office of—
HB 73, pages 99, 184, 224, 395
SB 27, pages 14, 50, 159

Governing body, expense allowance for members of—
HB 76, pages 101, 184, 204, 313, 402
SB 51, pages 24, 53, 173

CITIES 300,000 POPULATION OR MORE (Continued)

Mayor, authorizing motor vehicle equipped with radio equipment for—

HB 48, pages 134, 175, 199, 400

SB 56, pages 25, 53, 173

Mayor, expense allowance for—

HB 49, pages 134, 177, 203, 313, 401

SB 30, pages 16, 50, 160

Policemen, payment of certain medical expenses incurred by persons assisting—

HB 44, pages 132, 180, 213, 398

SB 17, pages 11, 48, 153

CIVIL CASES

Counties 96,000 to 106,000 population, jurisdiction of justices of the peace—

HB 31, pages 253, 328, 358, 416, 430

CIVIL COURT

Jefferson County, compensation of judges—

HB 56, pages 136, 182, 219, 394

SB 37, pages 17, 51, 168

CIVIL RIGHTS ACT OF 1964

Voiding of, within the state of Alabama—

HB 285, pages 448, 449, 460

SB 158, page 325

CLEBURNE COUNTY

Branch banking, authorized—

HB 238, pages 272, 327, 353, 436

CLERK, CIRCUIT

See: CIRCUIT CLERK—

CODE OF ALABAMA 1940 AMENDED

Title 8, Section 39. Providing for the issuance of non-resident fishing licenses—

HB 249, page 464

Title 13, Section 57. Fixing the compensation of the clerk of the supreme court—

SB 108, pages 44, 234

Title 13, Section 62. Fixing the compensation of the court reporters of the supreme court and the court of appeals—

SB 110, pages 44, 234

Title 13, Section 103. Fixing the compensation of judges of the court of appeals—

HB 277, pages 410, 414, 422, 460, 480

Title 13, Section 187. Fixing the compensation of bailiffs in certain judicial circuits—

HB 124, pages 103, 180, 214, 398, 458, 459, 481

Title 13, Section 254. Providing for the appointment and compensation of deputy circuit solicitors of the thirteenth judicial circuit—

HB 127, pages 103, 181, 215, 398

CODE OF ALABAMA 1940 AMENDED (Continued)

- Title 15, Section 100. Defining the term "search warrant"—
SB 155, pages 250, 292
- Title 17, Section 425. Dividing the state into congressional districts—
SB 7, page 7
- Title 17, Sections 425 and 426. Dividing the state into congressional districts—
HB 114, pages 89, 94, 188, 190, 228, 232, 235, 236, 258, 284
SB 57, page 25
SB 63, page 27
SB 67, pages 29, 47, 82, 88, 188, 298
SB 96, page 36
SB 136, page 70
- Title 21, Section 4. Providing for the appointment of testamentary guardians—
HB 210, pages 414, 422, 461, 480
- Title 29, Section 1. Definitions under laws regulating sale of alcoholic beverages—
HB 132, page 303
- Title 34, Section 20. Prescribing grounds for divorce—
HB 201, page 304
- Title 36, Section 75. Providing for the display of motor vehicle license tags—
SB 149, page 233
- Title 36, Section 89. Prescribing weight limitations of certain motor vehicles—
SB 157, page 307
- Title 37, Section 440. Providing for the compensation of mayors—
SB 88, pages 33, 251, 308, 442, 455, 484
- Title 37, Section 773. Requiring publication of municipal zoning ordinances—
HB 91, pages 285, 307, 452, 472
- Title 37, Section 778. Regulating the adoption of municipal zoning ordinances—
HB 91, pages 285, 307, 452, 472
- Title 42, Section 13. Regulating the release of prisoners on parole—
SB 80, page 31
- Title 42, Section 16. Regulating the granting of pardons and paroles—
SB 79, page 30
- Title 46, Section 26. Prescribing qualifications for becoming members of the state bar—
HB 237, page 300
- Title 47, Section 131. Regulation the recordation of conditional sales contracts—
HB 143, page 305
SB 77, pages 30, 57, 271, 404, 425, 484
- Title 49, Section 64. Regulating the operation of certain child-caring institutions—
HB 214, pages 277, 330, 364, 435

CODE OF ALABAMA 1940 AMENDED (Continued)

- Title 51, Section 81. Requiring the tax assessor to deliver copies of assessments to the board of equalization—
HB 261, pages 286, 328, 357, 416, 437
- Title 51, Section 82. Providing for the right to protest any valuation placed on property by the board of equalization—
HB 261, pages 286, 328, 357, 416, 437
- Title 51, Section 88. Providing for a board of equalization in each county—
HB 261, pages 286, 328, 357, 416, 437
- Title 51, Section 89. Providing for the appointment of members of boards of equalization—
HB 230, pages 286, 326, 351, 436
- Title 51, Section 94. Prescribing the term of service and compensation of members of boards of equalization—
HB 261, pages 286, 328, 357, 416, 437
- Title 51, Section 95. Regulating method of payment of compensation of members of boards of equalization—
HB 261, pages 286, 328, 357, 416, 437
- Title 51, Section 107. Regulating meetings of boards of equalization to hear objections to valuations of property—
HB 261, pages 286, 328, 357, 416, 437
- Title 51, Section 705. Providing for the issuance and display of motor vehicle license plates—
SB 149, page 233
- Title 51, Section 706. Regulating the transfer of motor vehicle license tags—
HB 123, page 253
- Title 52, Section 63. Prescribing qualifications of members of county boards of education—
HB 208, pages 276, 329, 361, 416, 435
- Title 52, Section 151. Prescribing qualifications of members of city boards of education—
HB 209, pages 276, 329, 362, 415, 435
- Title 52, Section 553. Providing for the physical and mental examination of children attending public schools—
HB 286, page 449.
- Title 61, Section 301. Providing for settlement by consent without notice in the administration of estates—
HB 185, page 304

COFFEE COUNTY

- Governing body, compensation of members—
SB 73, pages 30, 56, 152, 310, 319, 484

COLBERT COUNTY

- Contingent fund for, created
HB 224, pages 272, 326, 343
SB 125, pages 68, 93, 196, 311, 320, 484
- Littleville, town of, boundaries altered—
HB 18, pages 263, 294, 430

COLISEUM, STATE

Appropriation, construction of livestock pavilion barn at state fair grounds—

HB 181, page 275

SB 119, pages 46, 233, 280, 443, 455, 484

COMMISSION FORM OF GOVERNMENT

Adoption of, regulated—

HB 92, pages 285, 293, 346, 431

SB 53, pages 24, 186, 231

COMMITTEE ON THE AGING

Membership, organization, authority, and appointment of executive officer—

HB 200, page 303

SB 92, pages 36, 91, 281, 403, 404, 425, 484

CONDITIONAL SALES CONTRACTS

Recordation of—

HB 143, page 305

SB 77, pages 30, 57, 271, 404, 425, 484

CONFEDERATE MEMORIAL PARK

Designation of—

HJR 51, pages 444, 472

CONGRESS

Congressional districts, division of state into—

HB 114, pages 89, 94, 188, 190, 228, 232, 235, 236, 258, 284

SB 7, page 7

SB 57, page 25

SB 63, page 27

SB 67, pages 29, 47, 82, 88, 188, 298

SB 96, page 36

SB 97, page 37

SB 136, page 70

Memorialized to take certain action relative to apportionment of legislature—

HJR 5, pages 57, 139

HJR 12, pages 62, 140

Representatives to, filing of certificates of nomination by candidates for—

SB 146, page 232

Senators, United States, congress memorialized to establish residential qualifications for—

HJR 42, pages 443, 471

CONSERVATION, STATE DEPARTMENT OF

Counties 12,500 to 13,500 population, licensing and regulation of private hunting preserves—

HB 213, page 276

SB 121, pages 46, 93, 196, 311, 320, 484

Counties 26,000 to 27,000 population, licensing and regulation of private hunting preserves—

HB 211, pages 276, 296, 356

SB 120, pages 46, 93, 195, 310, 319, 484

CONSERVATION, STATE DEPARTMENT OF (Continued)

Counties 48,100 to 49,700 population, licensing and regulation of private hunting preserves—
HB 221, pages 277, 326, 374, 435

Counties 49,500 to 50,500 population, licensing and regulation of private hunting preserves—
HB 105, pages 121, 180, 211, 397

Counties 100,000 to 115,000 population, fishing regulated—
HB 194, pages 269, 295, 349, 434

Fishing licenses, non-resident, fee for issuance of—
HB 249, page 464

Gulf state park, construction of fishing pier at—
HB 1, pages 376, 377, 422, 463, 479
SB 68, pages 29, 234, 281, 405, 425, 484

Hunting preserves, private, licensing and regulation of—
SB 134, pages 70, 421

Lamar County, fishing regulated—
HB 94, pages 108, 178, 208, 400

CONSTITUTIONAL AMENDMENT

Bonds, requiring approval of voters before issuance of—
SB 6, pages 7, 47, 317, 325, 332, 339

Counties, sale and issuance of revenue bonds—
SB 4, pages 5, 47, 298

Covington County, providing for industrial development of—
HB 198, pages 275, 330, 430

Governor and other elected state officials, authorizing succession to office—
SB 71, pages 30, 47, 82

Jefferson County, providing for creation of districts for control of fires or disposal of garbage—
HB 178, pages 269, 329, 363, 438
SB 50, pages 23, 53, 172

Mobile County, authorizing levy of ad valorem tax for hospital purposes—
HB 139, pages 263, 294, 370, 438

Sales and use taxes, maximum rate of—
SB 3, page 5

Senate, reapportionment of—
SB 1, page 5
SB 2, pages 5, 56, 451

CONTRACTS

Conditional sales contracts, recordation of—
HB 143, page 305
SB 77, pages 30, 57, 271, 404, 425, 484

CONVICTS

Charges pending against defendants or filed against defendants serving sentences in the penitentiary, time of trial or dismissal of—
HB 9, page 306
SB 82, page 31

CONVICTS (Continued)

Highway camps, creating office of spiritual guidance counselor for—
SB 95, pages 36, 56

Pardon and parole board, state, compensation of chairman and members—
HB 135, page 254

Pardon or parole of person whose sentence has been commuted to life imprisonment, repealing provision for—
SB 84, page 31

Pardons and paroles, waiver of notice of granting—
SB 79, page 30

Parole, deduction of time for good behavior of person released on—
SB 80, page 31

Sex offenders, requiring segregation of—
HB 85, page 305

COOSA RIVER BASIN

Survey of mineral, water, petroleum resources of counties within—
SB 135, pages 70, 252

CORONER

Counties 14,400 to 14,900 population, compensation—
HB 164, pages 267, 297, 350, 432

Counties 15,417 to 16,303 population, compensation—
HB 34, pages 108, 176, 200, 315, 402

Counties 25,500 to 25,700 population, compensation—
HB 240, pages 273, 327, 353, 436

Lee County, expense allowance—
HB 103, pages 119, 180, 212, 398

CORPORATE LIMITS

See: BOUNDARIES; name of specific city or town—

CORRECTIONS, STATE BOARD OF

Committee created to study and advise with—
SJR 22, pages 457, 462, 476, 477, 479, 485, 485

Highway camps, creating office of spiritual guidance counselor for—
SB 95, pages 36, 56

Sex offenders, requiring segregation of—
HB 85, page 305

COUNTIES GENERAL LAWS

Bonds, revenue, sale and issuance of, CA—
SB 4, pages 5, 47, 298

Engineer, county, covered under employees retirement system—
HB 168, page 275
SB 58, pages 25, 234, 279, 404, 425, 484

Engineer, county, employment, duties, compensation, and retirement of—
HB 170, page 275
SB 59, pages 25, 234, 279, 404, 425, 484

COUNTIES GENERAL LAWS (Continued)

Jails, removal of prisoner from municipal jail to—
HB 182, pages 304, 424, 471, 480

USS Alabama battleship commission, counties authorized to make appropriations to—
HB 134, pages 305, 331, 421, 451, 472
SB 141, pages 175, 235, 308

COUNTIES 10,800 TO 12,000 POPULATION

Branch banks, authorized—
HB 238, pages 272, 327, 353, 436

COUNTIES 12,500 TO 13,500 POPULATION

Hunting preserves, private, licensing and regulation of—
HB 213, page 276
SB 121, pages 46, 93, 196, 311, 320, 484

Judge of probate, tax assessor, and tax collector, clerk-hire allowance—
HB 5, pages 105, 185, 226, 396
SB 74, pages 30, 55, 149

COUNTIES 13,700 TO 14,300 POPULATION

Courthouses, closing of offices in—
HB 97, pages 111, 250, 343, 392

Election officials, compensation—
HB 96, page 111

Superintendent of education, compensation—
HB 98, pages 112, 178, 208, 396

COUNTIES 14,400 TO 14,900 POPULATION

Board of education, election and compensation of members—
HB 167, pages 267, 297, 359, 377

Coroner, compensation—
HB 164, pages 267, 297, 350, 432

Governing body, expense allowance for members—
HB 163, pages 267, 295, 348, 432

COUNTIES 14,500 TO 14,900 POPULATION

County offices, filling vacancies in—
HB 166, pages 267, 297, 359

Superintendent of education, compensation—
HB 165, pages 267, 297, 350, 433

COUNTIES 15,417 TO 16,303 POPULATION

Coroner, compensation—
HB 34, pages 108, 176, 200, 315, 402

Election officials, compensation—
HB 32, pages 108, 176, 199, 400

COUNTIES 15,500 TO 16,300 POPULATION

Courthouse, closing of offices in—
HB 33, pages 108, 176, 201, 401

COUNTIES 18,800 TO 19,500 POPULATION

Governing body, compensation of members—
SB 156, pages 307, 367, 440

COUNTIES 19,500 TO 20,000 POPULATION

Governing body, expense allowance for members—
HB 274, pages 376, 377, 423, 465, 480

COUNTIES 21,988 TO 22,000 POPULATION

Sheriff, compensation of deputy to—
HB 35, pages 267, 294, 431

COUNTIES 22,350 TO 24,350 POPULATION

Tax assessor, clerical assistance—
HB 283, pages 378, 390, 424, 470, 481
SB 154, pages 250, 293, 345, 462, 477, 485

Tax collector, clerical assistance—
HB 284, pages 378, 390, 424, 470, 481
SB 153, pages 250, 293, 345, 462, 477, 485

COUNTIES 22,500 TO 24,550 POPULATION

Governing body, compensation and expense allowance of members—
HB 184, pages 268, 329, 375, 433

Hill, Chester Dee, relief of—
HB 251, pages 287, 327, 375, 437

COUNTIES 24,525 TO 24,675 POPULATION

Governing body, expense allowance for members of—
SB 65, pages 28, 55, 147, 290, 299, 483

COUNTIES 24,550 TO 24,600 POPULATION

County-line schools, attendance of pupils at—
HB 222, pages 71, 326, 356
SB 131, pages 69, 93, 197, 311, 320, 457, 460, 476, 484, 485

COUNTIES 24,800 TO 25,400 POPULATION

Elections, providing for use of paper ballots at—
HB 155, pages 129, 180, 212, 233, 297

COUNTIES 25,400 TO 25,600 POPULATION

Election officials, compensation—
HB 4, page 105
SB 70, pages 29, 55, 148, 290, 299, 483

Jurors, compensation—
HB 3, page 105
SB 69, pages 29, 55, 148, 290, 299, 483

COUNTIES 25,500 TO 25,700 POPULATION

Board of equalization, compensation of members—
HB 242, pages 273, 327, 354, 436

Board of registrars, compensation of members—
HB 243, pages 273, 327, 354, 437

Coroner, compensation—
HB 240, pages 273, 327, 353, 436

COUNTIES 25,500 TO 25,700 POPULATION (Continued)

Jurors, compensation—

HB 241, pages 273, 327, 353, 436, 464

COUNTIES 26,000 TO 27,000 POPULATION

Board of registrars, meetings, supplies, and clerical assistance—

SB 147, pages 232, 251, 344

Hunting preserves, private, licensing and regulation of—

HB 211, pages 276, 296, 356

SB 120, pages 46, 93, 195, 310, 319, 484

COUNTIES 28,000 TO 30,575 POPULATION

Loans, temporary, authorized—

HB 25, pages 263, 294, 430

COUNTIES 30,550 TO 31,000 POPULATION

Governing body, compensation of members—

SB 73, pages 30, 56, 152, 310, 319, 484

COUNTIES 31,500 TO 33,500 POPULATION

Board of equalization, compensation of members—

HB 229, pages 272, 326, 352, 436

Board of registrars, compensation of members—

HB 228, pages 272, 326, 351, 435

Jurors, compensation—

HB 227, pages 272, 326, 351, 435

COUNTIES 32,000 TO 33,000 POPULATION

Sheriff, allowance for uniforms for personnel of—

HB 255, pages 289, 328, 356, 437

COUNTIES 38,000 TO 45,000 POPULATION

Board of registrars, compensation of members—

SB 137, pages 70, 93, 230, 391, 419, 484

COUNTIES 42,000 TO 46,000 POPULATION

Jury commission, compensation of members—

HB 235, pages 272, 332, 367, 436

SB 102, page 41

SB 123, pages 68, 93, 198, 390, 419, 484

Register, compensation of deputy clerk

HB 275, pages 378, 390, 423, 466, 480

SB 140, pages 175, 234, 342, 463, 476, 485

Sheriff, compensation of employees of—

HB 234, pages 272, 332, 366, 436

SB 122, pages 67, 93, 198, 390, 419, 484

COUNTIES 46,000 TO 46,500 POPULATION

Contingent fund for, created—

HB 224, pages 272, 326, 343

SB 125, pages 68, 93, 196, 311, 320, 484

COUNTIES 48,100 TO 49,700 POPULATION

Hunting preserves, private, licensing and regulation of—

HB 221, pages 277, 326, 374, 435

COUNTIES 48,500 TO 49,500 POPULATION

Board of registrars, compensation of members—
HB 271, pages 378, 390, 423, 465, 480

Governing body, compensation of members—
HB 270, pages 378, 390, 423, 465, 480

COUNTIES 49,500 TO 50,500 POPULATION

Hunting preserves, private, licensing and regulation of—
HB 105, pages 121, 180, 211, 397

COUNTIES 50,000 TO 54,000 POPULATION

Judge of probate, expense allowance—
SB 143, page 232

COUNTIES 51,000 TO 56,000 POPULATION

Election officials, compensation—
SB 129, pages 69, 93, 197, 315, 320, 484

Jurors, compensation—
SB 128, pages 69, 93, 198, 315, 320, 484

COUNTIES 57,000 TO 61,000 POPULATION

Court reporters, compensation—
HB 146, pages 122, 179, 208, 396

COUNTIES 57,000 TO 61,500 POPULATION

Governing body, compensation of chairman and members—
HB 147, pages 122, 184, 226, 396

COUNTIES 65,000 TO 85,000 POPULATION

Election officials, compensation—
HB 157, pages 129, 179, 210, 397

COUNTIES 65,000 TO 95,000 POPULATION

Board of registrars, appointment and compensation of clerk—
SB 9, pages 7, 54, 144, 290, 298, 483

Election officials, compensation—
SB 11, pages 7, 54, 145

Jury commission, compensation of clerk—
SB 8, pages 7, 54, 144, 289, 298, 483

COUNTIES 76,000 TO 96,000 POPULATION

Bailiffs, compensation—
HB 262, pages 301, 332, 366, 438

Circuit clerk, tax assessor, and tax collector, compensation—
HB 247, page 273

County court, expense allowance for judge of—
HB 263, pages 289, 328, 356, 438

Judge of probate, compensation and expense allowance—
HB 246, pages 273, 327, 355, 437

Sheriff, appointment and compensation of deputies—
HB 245, pages 273, 327, 354, 437

COUNTIES 80,000 POPULATION OR LESS

Conditional sales contract, recordation of—

HB 143, page 305

SB 77, pages 30, 57, 271, 404, 425, 484

COUNTIES 96,000 TO 106,000 POPULATION

Board of education, qualifications of members—

HB 208, pages 276, 329, 361, 416, 435

Board of registrars, meetings of—

HB 203, pages 276, 329, 359, 415, 435

Jury commission, compensation of clerk and members—

HB 207, pages 276, 361, 435

Justices of the peace, jurisdiction—

HB 31, pages 253, 328, 358, 416, 430

License inspector, term of office—

SB 151, pages 243, 328, 356

Sheriff, compensation—

HB 205, pages 276, 329, 360, 435

COUNTIES 100,000 TO 115,000 POPULATION

Child care institutions, regulating operation of—

HB 196, pages 269, 296, 349, 434

HB 214, pages 277, 330, 364, 435

Circuit court, granting of probation in—

SB 13, pages 8, 54, 146, 290, 298, 428, 429, 442, 455, 483, 484

Fishing regulated—

HB 194, pages 269, 295, 349, 434

Voters, reidentification of—

HB 195, pages 269, 295, 344, 416, 434

COUNTIES 110,000 TO 160,000 POPULATION

Banks, authorizing branch banks—

HB 160, pages 130, 185, 194, 283

SB 105, pages 43, 92

Governing body, compensation of chairman and members—

HB 109, pages 122, 185, 195, 283

SB 116, pages 46, 92

Judge, circuit, compensation—

SB 103, pages 42, 92

COUNTIES 125,000 TO 225,000 POPULATION

Circuit court, domestic relations division of, issuance of warrants and administering of oaths—

HB 260, page 312

COUNTIES 150,000 TO 300,000 POPULATION

Board of equalization, appointment of members—

HB 230, pages 286, 326, 351, 436

Board of registrars, compensation of members—

HB 232, pages 286, 327, 352, 436

COUNTIES 150,000 TO 300,000 POPULATION (Continued)

Board of registrars, meetings—

HB 202, pages 311, 331, 365, 434

Election officials, compensation—

HB 258, pages 312, 332, 365, 417, 437

Housing authorities, compensation and duties of director and assistant director—

HB 199, pages 287, 296, 349, 434

License inspectors, appointment, duties and compensation—

HB 231, pages 286, 326, 352, 436

COUNTIES 225,000 TO 400,000 POPULATION

License inspector and chief clerk, compensation—

HB 122, pages 103, 180, 214, 398

COUNTIES 225,000 TO 500,000 POPULATION

Circuit court, compensation of solicitor of domestic relations division of—

HB 130, pages 104, 181, 217, 393

COUNTIES 300,000 TO 500,000 POPULATION

Advisory referendums, provided for—

HB 115, pages 102, 368, 417, 432

Assessment of real property, period for—

HB 128, pages 104, 181, 216, 393

Board of registrars, compensation of members—

HB 126, pages 103, 181, 215, 398

Governing body, compensation of members—

HB 125, pages 103, 181, 215, 398

Judge of probate, compensation—

HB 120, pages 103, 180, 214, 398

License commissioner, compensation—

HB 131, pages 104, 181, 217, 393

Sheriff, compensation of deputies and assistants to—

HB 253, pages 303, 331, 366, 437

Sheriff, exemption from liability—

HB 117, page 102

Sheriff, uniforms for deputies—

HB 252, pages 287, 327, 355, 437

Tax assessor, fee provided for program of tax equalization—

SB 139, pages 91, 181, 217

COUNTIES 400,000 POPULATION OR MORE

Board of registrars, meetings of—

HB 43, pages 132, 180, 213, 398

SB 52, pages 24, 53, 173

Highways and bridges, regulating construction by municipalities within—

HB 40, pages 131, 176, 202, 401

SB 16, pages 10, 48, 152

COUNTIES 400,000 POPULATION OR MORE (Continued)

Sheriff, retirement of assistants to—

HB 276, pages 390, 423, 472

SB 150, pages 243, 293, 345, 462, 476, 485

Tobacco tax, levy, collection, and enforcement of—

HB 41, pages 132, 177, 203, 401

SB 18, pages 11, 48, 153, 347

COUNTIES 500,000 POPULATION OR MORE

Board of education, naming of school buildings—

HB 77, pages 102, 184, 225, 396

Circuit clerk, compensation—

HB 64, pages 97, 183, 221, 394

SB 45, pages 21, 52, 170

Judge of probate, deputy, creating office of—

HB 65, pages 97, 183, 221, 395

SB 46, pages 21, 52, 171

Judge of probate, qualifications for holding office—

HB 71, pages 99, 184, 224, 395

SB 25, pages 14, 50, 158

Licenses, method of issuing—

HB 74, pages 99, 184, 224, 395

SB 28, pages 14, 50, 159

Motor vehicle operated by employee of, compensation to person for injury or damage to property caused by—

HB 42, pages 132, 177, 202, 401

Property annexed to municipalities, assessment of—

HB 37, pages 130, 176, 341, 342, 391, 392

Tax assessor, compensation—

HB 62, pages 96, 183, 220, 394

SB 43, pages 20, 52, 170

Tax collector, compensation—

HB 62, pages 96, 183, 220, 394

SB 43, pages 20, 52, 170

COUNTIES 600,000 POPULATION OR MORE

County commission, compensation of president and members—

HB 60, pages 95, 178, 207, 400

SB 41, pages 20, 52, 169

Inferior court, compensation of judges—

HB 55, pages 135, 182, 219, 394

SB 36, pages 17, 51, 167

Judge, circuit, compensation—

HB 67, pages 98, 183, 222, 395

SB 48, pages 22, 53, 171

Judge of probate, compensation—

HB 66, pages 98, 183, 222, 395

SB 47, pages 22, 52, 171

Municipalities within, method of annexing territory to—

HB 72, pages 263, 294, 356

SB 26, pages 14, 50, 159, 284, 299, 483

COUNTIES 600,000 POPULATION OR MORE (Continued)

Register, compensation

HB 61, pages 95, 182, 220, 394

SB 42, pages 20, 52, 169

Sheriff, compensation—

HB 59, pages 95, 178, 207, 400

SB 40, pages 20, 52, 169

Solicitor, circuit, and deputy and assistant deputy circuit solicitors, compensation—

HB 53, pages 138, 177, 206, 399

HB 54, pages 139, 182, 219, 394

SB 34, pages 17, 51, 163

SB 35, pages 17, 51, 164, 347

Treasurer, compensation—

HB 52, pages 135, 182, 218, 394

SB 33, pages 17, 51, 163

COUNTY COMMISSION

Counties 300,000 to 500,000 population, compensation of members—

HB 125, pages 103, 181, 215, 398

Counties 600,000 population or more, compensation of president and members—

HB 60, pages 95, 178, 207, 400

SB 41, pages 20, 52, 169

COUNTY COURT

Cities 10,275 to 10,875 population, compensation of judge of court established for precincts within—

SB 15, pages 8, 54, 146, 290, 299, 483

Counties 76,000 to 96,000 population, compensation of judge—

HB 263, pages 289, 328, 356, 438

Lauderdale County, created—

HB 102, pages 115, 178, 227, 399

SB 99, pages 37, 56, 151

COUNTY ENGINEERS

See: ENGINEERS, COUNTY

COUNTY SOLICITOR

See: SOLICITOR, COUNTY

COURT, CIRCUIT

See: CIRCUIT COURT

COURT, COUNTY

See: COUNTY COURT; name of specific county

COURT, INFERIOR

See: INFERIOR COURT; name of specific county

COURT, JUVENILE

See: JUVENILE COURT; name of specific county

COURT OF APPEALS

Judges, compensation—
HB 277, pages 410, 414, 422, 460, 480

Reporter, compensation—
SB 110, pages 44, 234

COURT OF COUNTY COMMISSIONERS

See also: BOARD OF REVENUE; name of specific county

Counties 18,800 to 19,500 population, compensation of members—
SB 156, pages 307, 367, 440

Counties 24,525 to 24,675 population, expense allowance for members—
SB 65, pages 28, 55, 147, 290, 299, 483

Counties 30,550 to 31,000 population, compensation of members—
SB 73, pages 30, 56, 152, 310, 319, 484

Counties 48,500 to 49,500 population, compensation of members—
HB 270, pages 378, 390, 423, 465, 480

Counties 110,000 to 160,000 population, compensation of members and chairman—
HB 109, pages 122, 185, 195, 283
SB 116, pages 46, 92

Dale County, compensation and expense allowance of members—
HB 22, pages 107, 179, 227, 399

COURT REPORTERS

Counties 57,000 to 61,000 population, compensation—
HB 146, pages 122, 179, 208, 396

Court of appeals, compensation—
SB 110, pages 44, 234

Judicial circuits composed of two counties and having two judges, compensation—
HB 248, page 300

Supreme court, compensation—
SB 110, pages 44, 234

COURTHOUSES

Counties 13,700 to 14,300 population, closing of offices in—
HB 97, pages 111, 250, 343, 392

Counties 15,500 to 16,300, closing of offices in—
HB 33, pages 108, 176, 201, 401

COVINGTON COUNTY

Industrial development of, CA—
HB 198, pages 275, 330, 430

CRAWFORD, SHIRLEY

Commended—
HJR 28, pages 257, 318

CRIMES AND OFFENSES

Assaults and batteries, penalty for—
HB 86, page 305

CRIMES AND OFFENSES (Continued)

Children, penalty for contributing to delinquency to—
HB 89, page 305

Children, penalty for enticing for immoral purposes—
HB 88, page 305

County prisoners, conditional release of—
HB 10, pages 376, 377
SB 83, page 31

Disorderly conduct, definition of, and punishment for—
SB 118, page 46

CRIMINAL CASES

Assaults and batteries, penalty for—
HB 86, page 305

Charges pending against defendants or filed against defendants
serving sentences in the penitentiary, time of trial or dismissal
of—
HB 9, page 306
SB 82, page 31

Counties 100,000 to 115,000 population, granting of probation by
circuit courts—
SB 13, pages 8, 54, 146, 290, 298, 428, 429, 442, 455, 483, 484

County prisoners, conditional release of—
HB 10, pages 376, 377
SB 83, page 31

CRIMINAL COURT

Jefferson County, compensation of judges—
HB 57, pages 136, 177, 206, 399
SB 38, pages 18, 51, 168

CULLMAN COUNTY

Jury commission, compensation of members—
HB 235, page 272, 332, 367, 436
SB 102, page 41
SB 123, pages 68, 93, 198, 390, 419, 484

Register, compensation of deputy to—
HB 275, pages 378, 390, 423, 466, 480
SB 140, pages 175, 234, 342, 463, 476, 485

Sheriff, compensation of employees of—
HB 234, pages 272, 332, 366, 436
SB 122, pages 67, 93, 198, 390, 419, 484

DALE COUNTY

Court of county commissioners, compensation and expense of
members—
HB 22, pages 107, 179, 227, 399

Sheriff, allowance for empaneling grand juries—
HB 20, pages 105, 179, 228, 399

Sheriff, appointment and compensation of deputies—
HB 21, page 106

DALE COUNTY (Continued)

Skipperville, naming of school in honor of superintendent George W. Long—
HJR 32, pages 260, 450, 471

DALLAS COUNTY

Selma, city of, compensation of mayor—
SB 88, pages 33, 251, 308, 442, 455, 484

DAVIS, REPRESENTATIVE GILBERT EUGENE, SR.

Mourning death of—
HJR 22, pages 86, 141

DECATUR, CITY OF

Boundaries altered—
HB 148, pages 122, 179, 209, 396
SB 5, pages 5, 53, 144, 289, 298, 483

DeKALB COUNTY

Board of registrars, compensation of members—
SB 137, pages 70, 93, 230, 391, 419, 484

Election officials, compensation—
SB 100, pages 39, 92, 229, 391, 418, 484

Jurors, compensation—
SB 101, pages 40, 92, 230, 391, 419, 484

Solicitor, deputy, office created in lieu of office of county solicitor—
SB 85, pages 31, 91, 229, 390, 418, 484

DEMOCRATIC NATIONAL CONVENTION

Alabama delegation commended—
SJR 21, pages 439, 449

DEPUTY SOLICITOR

See: SOLICITOR, DEPUTY

DISORDERLY CONDUCT

Definition of, and punishment for—
SB 118, page 46

DIVORCE

Grounds for, prescribed—
HB 201, page 304

DRAUGHON, DOCTOR RALPH BROWN

Expressing appreciation to—
HJR 33, pages 225, 319

EDUCATION

Alabama trade school and junior college authority authorized to issue bonds—
HB 112, pages 236, 251, 334, 335, 336, 337, 338, 341, 391

Attendance of pupils to schools, regulated—
HB 267, page 423

EDUCATION (Continued)

Schools, physical examination of children attending—
HB 286, page 449

Southern Union College, appropriation for acquisition and operation of—
SB 113, pages 45, 233, 281, 377, 419, 484

Veterans, educational benefits for dependents of—
SB 12, page 7

EIGHTEENTH JUDICIAL CIRCUIT

Solicitor, expense allowance—
HB 172, page 377

EIGHTH JUDICIAL CIRCUIT

Solicitor, expense allowance—
HB 172, page 377

Solicitor, requisitions on solicitor's fund—
HB 191, pages 269, 330, 376, 434

ELECTIONS

See also: BOARD OF REGISTRARS; PRIMARY ELECTIONS;
REGISTRATION OF VOTERS; VOTERS

Absentee voting by persons in national guard and other reserve components—
HB 236, pages 303, 330, 405, 436

Congress, filing of certificates of nomination by candidates for representative to—
SB 146, page 232

Counties 13,700 to 14,300 population, compensation of election officials—
HB 96, page 111

Counties 15,417 to 16,303 population, compensation of election officials—
HB 32, pages 108, 176, 199, 400

Counties 24,800 to 25,400 population, providing for use of paper ballots at—
HB 155, pages 129, 180, 212, 233, 397

Counties 25,400 to 25,600 population, compensation of election officials—
HB 4, page 105
SB 70, pages 29, 55, 148, 290, 299, 483

Counties 51,000 to 56,000 population, compensation of election officials—
SB 129, pages 69, 93, 197, 315, 320, 484

Counties 65,000 to 95,000 population, compensation of election officials—
HB 157, pages 129, 179, 210, 397
SB 11, pages 7, 54, 145

Counties 150,000 to 300,000 population, compensation of election officials—
HB 258, pages 312, 332, 365, 417, 437

ELECTIONS (Continued)

Cities 300,000 population or less, regulating conduct of—
SB 19, pages 11, 48, 153, 442, 455, 484

Counties 300,000 to 500,000 population, providing for advisory referendums—
HB 115, pages 102, 368, 417, 432

DeKalb County, compensation of election officials—
SB 100, pages 39, 92, 229, 391, 418, 484

ELEVENTH JUDICIAL CIRCUIT

Judges, compensation—
HB 101, pages 115, 178, 227, 399
SB 98, pages 37, 55, 151

ELMORE COUNTY

Loans, temporary, authorized—
HB 25, pages 263, 294, 347, 430

EMPLOYEES' RETIREMENT SYSTEM, STATE

County engineers included under—
HB 168, page 275
SB 58, pages 25, 234, 279, 404, 425, 484

ENGINEERS, COUNTY

Employees' retirement system, eligible for membership in—
HB 168, page 275
SB 58, pages 25, 234, 279, 404, 425, 484

Employment, duties, compensation, and retirement of—
HB 170, page 275
SB 59, pages 25, 234, 279, 404, 425, 484

ESTATES

Administration of, settlement by consent without notice—
HB 185, page 304

Children, appointment of mother or father as guardian—
HB 210, pages 414, 422, 461, 480

ETOWAH COUNTY

Board of education, qualifications of members—
HB 208, pages 276, 329, 361, 416, 435

Board of registrars, meetings of—
HB 203, pages 276, 329, 359, 415, 435

Conditional sales contracts, recordation of—
HB 143, page 305
SB 77, pages 30, 57, 271, 404, 425, 484

Gadsden, city of, boundaries altered—
HB 29, pages 264, 328, 357, 430
HB 30, pages 266, 328, 359, 430

Gadsden, city of, qualifications of members of board of education—
HB 209, pages 276, 329, 362, 415, 435

Glencoe, city of, boundaries altered—
HB 30, pages 266, 328, 359, 430

ETOWAH COUNTY (Continued)

Jury commission, compensation of clerk and members—
HB 207, pages 276, 329, 361, 435

Justices of the peace, jurisdiction—
HB 31, pages 253, 328, 358, 416, 430

License inspector, term of office—
HB 151, pages 125, 179, 209, 397

Rainbow City, town of, boundaries altered—
HB 29, pages 264, 328, 357, 430

Sheriff, compensation—
HB 205, pages 276, 329, 360, 435

EXECUTORS AND ADMINISTRATORS

Estates, settlement by consent without notice in administration of—
HB 185, page 304

FAIR GROUNDS, STATE

Appropriation, construction of livestock pavilion barn at—
HB 181, page 275
SB 119, pages 46, 233, 280, 443, 455, 484

FAYETTE COUNTY

Coroner, compensation—
HB 34, pages 108, 176, 200, 315, 402

Courthouse, closing of offices in—
HB 33, pages 108, 176, 201, 401

Election officials, compensation—
HB 32, pages 108, 176, 199, 400

FIELDS, REPRESENTATIVE CLARA STONE

Appointed as Alabama's delegate to convention of Order of Women
Legislators—
HJR 45, pages 446, 471

FIFTEENTH JUDICIAL CIRCUIT

Bailiffs, compensation—
HB 124, pages 103, 180, 214, 398, 458, 459, 481

FIFTH JUDICIAL CIRCUIT

Solicitor, compensation—
HB 172, page 377

FIRE PREVENTION

Jefferson County, creation of districts for, CA—
HB 178, pages 269, 329, 363, 438

FIREMEN

Cities 250,000 population or more, benefits payable under retire-
ment and relief system—
HB 70, pages 99, 183, 223, 313, 402
SB 24, pages 14, 50, 158

FIREMEN (Continued)

Mobile County, city of Mobile, creating pension and relief fund for—
HB 278, pages 381, 390, 424, 467, 468, 469, 475, 482
SB 152, pages 243, 293, 370

FIRST JUDICIAL CIRCUIT

Solicitor, expense allowance—
HB 172, page 377

FISHING

Counties 100,000 to 115,000 population, regulated—
HB 194, pages 269, 295, 349, 434

Lamar County, regulated—
HB 94, pages 108, 178, 208, 400

Non-resident licenses, fee for issuance of—
HB 249, page 464

FLORENCE, CITY OF

Boundaries altered—
HB 99, pages 112, 178, 226, 399

FOOD AND DRUGS

Meat and meat products, imported, requiring identification of—
SB 124, pages 68, 252

FOURTH JUDICIAL CIRCUIT

Judge, associate, compensation—
HB 23, pages 263, 296, 473
SB 87, pages 33, 55, 150, 316, 319, 484

Solicitor, expense allowance—
HB 172, page 377

FRANKLIN COUNTY

Sheriff, compensation of deputy to—
HB 35, pages 267, 294, 431

GADSDEN, CITY OF

Board of education, qualifications of members—
HB 209, pages 276, 329, 362, 415, 435

Boundaries altered—
HB 29, pages 264, 328, 357, 430
HB 30, pages 266, 328, 359, 430

GAME AND FISH

Counties 12,500 to 13,500 population, licensing and regulation of
private hunting preserves—
HB 213, page 276
SB 121, pages 46, 93, 196, 311, 320, 484

Counties 26,000 to 27,000 population, licensing and regulation of
private hunting preserves—
HB 211, pages 276, 296, 356
SB 120, pages 46, 93, 195, 310, 319, 484

GAME AND FISH (Continued)

Counties 48,100 to 49,700 population, licensing and regulation of private hunting preserves—
HB 221, pages 277, 326, 374, 435

Counties 49,500 to 50,500 population, licensing and regulation of private hunting preserves—
HB 105, pages 121, 180, 211, 397

Counties 100,000 to 115,000 population, fishing regulated—
HB 194, pages 269, 295, 349, 434

Fishing licenses, non-resident, fee for issuance of—
HB 249, page 464

Hunting preserves, private, licensing and regulation of—
SB 134, pages 70, 421

Lamar County, fishing regulated—
HB 94, pages 108, 178, 208, 400

GARBAGE

Jefferson County, creating system for collection of, CA—
HB 178, pages 269, 329, 363, 438

GEORGE C. WALLACE TUNNEL

Designation of—
HJR 11, pages 62, 140

GLENCOE, CITY OF

Boundaries altered—
HB 30, pages 266, 328, 359, 430

GOVERNOR

Commended—
HJR 7, pages 59, 139
HJR 13, pages 63, 140
HJR 27, pages 262, 318
SJR 17, page 426

Committee appointed to notify governor that legislature is in session—
HJR 2, page 8
SJR 1, pages 4, 37

Committee appointed to inform governor of sine die adjournment—
SJR 23, pages 474, 475

Committee on the aging, membership, organization, authority, and appointment of executive officer—
HB 200, page 303
SB 92, pages 36, 91, 281, 403, 404, 425, 484

Labor day week-end, requested to urge Alabamians to take extra safety precautions during—
HJR 46, pages 448, 472

Legislature, joint session to hear address by—
HJR 3, page 9
HJR 14, page 65

Pardon or parole of prisoner whose sentence has been commuted to life imprisonment, repealing provision for—
SB 84, page 31

GOVERNOR (Continued)

Succession to office, authorized, CA—
SB 71, pages 30, 47, 82

GREENE COUNTY

Board of registrars, compensation of members—
SB 89, pages 33, 55, 150, 291, 299, 483

Martin, P. T., relief of—
SB 91, pages 35, 55, 151, 291, 300, 483

Sheriff, authorizing additional deputy—
SB 90, pages 34, 55, 150, 291, 299, 483

GUARDIAN AND WARD

Estates, regulating settlement by consent without notice—
HB 185, page 304

GULF STATE PARK

Fishing pier at, construction of—
HB 1, pages 376, 377, 422, 463, 479
SB 68, pages 29, 234, 281, 405, 425, 484

HALE COUNTY

Board of revenue, expense allowance for members—
HB 274, pages 376, 377, 423, 465, 480

HARRIS, MRS. EDNA

Expressing pleasure at recovery of
HJR 17, pages 85, 140

HARTSELLE, TOWN OF

Boundaries altered—
HB 190, pages 268, 330, 375, 434

HEALTH

See: HOSPITALS; PUBLIC HEALTH

HIGHWAY DEPARTMENT, STATE

Engineers, county, employment, duties, compensation, and retirement of—
HB 170, page 275
SB 59, pages 25, 234, 279, 404, 425, 484

Highway camps, creating office of spiritual guidance counselor for—
SB 95, pages 36, 56

HIGHWAYS

Counties 400,000 population or more, construction of highways and bridges by municipalities within—
HB 40, pages 131, 176, 202, 401
SB 16, pages 10, 48, 152

Four-lane, speed limit on—
HJR 25, pages 142, 340, 392

"George C. Wallace Tunnel," designation of—
HJR 11, pages 62, 140

HIGHWAYS (Continued)

Trailers, four-wheel, two-axle, regulating operation of—
HB 36, page 301

Tunnels, exemption from sales and use taxes structural steel used
in fabrication of—
SB 93, pages 36, 252, 419, 420

HILL, CHESTER DEE

Counties 22,550 to 24,550 population, relief of—
HB 251, pages 287, 327, 375, 437

HISTORICAL SITES

“Confederate Memorial Park,” designation of—
HJR 51, pages 444, 472

USS Alabama battleship commission, counties authorized to make
appropriations to—
SB 141, pages 175, 235, 308

HOSPITALS

Mobile County, levy and collection of ad valorem tax for hospital
purposes, CA—
HB 139, pages 263, 294, 370, 438

HOTEL

Definition of, under alcoholic beverage control laws—
HB 132, page 303

HOUSE OF REPRESENTATIVES

Adjournment—
HJR 44, pages 407, 408, 409, 410, 414
SJR 4, page 65

Adjournment sine die—
HJR 56, page 476
SJR 13, pages 8, 54, 146, 290, 298, 428, 429, 442, 455, 483, 484
SJR 18, page 427

Appropriation—
HB 111, pages 89, 94, 187, 192
SB 94, pages 36, 56, 81

Bowers, representative Quinton R., extending congratulations to—
HJR 18, pages 84, 188

“Civil Rights Act of 1964,” voiding of, within the state of Alabama—
SB 158, page 325

Clerical assistance after adjournment of—
HJR 48, pages 440, 456

Committee appointed to notify governor that legislature is in ses-
sion—
HJR 2, page 8
SJR 1, pages 4, 37

Committee on the aging, membership, organization, authority, and
appointment of executive officer—
SB 92, pages 36, 91, 281, 403, 404, 425, 484

HOUSE OF REPRESENTATIVES (Continued)

Committee on uniform commercial code, created—
SJR 19, pages 427, 455, 477, 479, 485, 485

Committee to inform governor of sine die adjournment, created—
SJR 23, pages 474, 475

Committee to study and advise with state board of corrections,
created—
SJR 22, pages 457, 462, 476, 477, 479, 485, 485

Committee to study apportionment, created—
HJR 6, pages 58, 139, 479, 485

Congress memorialized to take certain action relative to apportion-
ment of—
HJR 5, pages 57, 139
HJR 12, pages 62, 140

Governor, joint session to hear address by—
HJR 3, page 9
HJR 14, page 65

Journal, printing and binding of—
HJR 47, pages 440, 456

Martin, representative W. L. (Doc), mourning death of—
HJR 4, pages 37, 139

National conference of state legislative leaders, payment of dues—
HJR 15, pages 85, 140

Parking places for members of, designation of—
HJR 23, pages 141, 192, 258

HOUSING AUTHORITIES, COUNTY

Counties 150,000 to 300,000 population, compensation and duties of
director and assistant director—
HB 199, pages 287, 296, 349, 434

HOUSTON COUNTY

Judge of probate, expense allowance—
SB 143, page 232

HUNTING

Counties 12,500 to 13,500 population, licensing and regulation of
private hunting preserves—
HB 213, page 276
SB 121, pages 46, 93, 196, 311, 320, 484

Counties 26,000 to 27,000 population, licensing and regulation of
private hunting preserves—
HB 211, pages 276, 296, 356
SB 120, pages 46, 93, 195, 310, 319, 484

Counties 48,100 to 49,700 population, licensing and regulation of
private hunting preserves—
HB 221, pages 277, 326, 374, 435

Counties 49,500 to 50,500 population, licensing and regulation of
private hunting preserves—
HB 105, pages 121, 180, 211, 397

Hunting preserves, private, licensing and regulation of—
SB 134, pages 70, 421

HUSBAND AND WIFE

Divorce, prescribing grounds for—
HB 201, page 304

INCOME TAX

Charitable contributions allowed as deduction under, amount of—
SB 55, pages 25, 56, 306

INDUSTRIAL DEVELOPMENT

Coffee County, provided for, CA—
HB 198, pages 275, 330, 430

Municipal industrial development boards, manufacture, process, or
assembly of mineral products—
HB 136, page 274
SB 133, pages 69, 185, 278, 405, 426, 484

Municipalities, research included under definition of term "project"—
HB 106, pages 285, 296, 406, 431
HB 107, pages 286, 296, 407, 432
SB 115, page 46
SB 117, page 46

INFANTS

"Alabama Uniform Gifts to Minors Act," savings and loan associa-
tions covered under—
HB 141, pages 305, 423, 464, 480
SB 76, pages 30, 91

Guardian, appointment of mother or father as—
HB 210, pages 414, 422, 461, 480

Juvenile court, providing probationary service for—
HB 142, pages 300, 332, 417, 449

INFERIOR CIVIL COURT

Counties with cities having 200,000 to 300,000 population, compensa-
tion of judge—
HB 269, pages 390, 423, 464, 480

INFERIOR COURT

Butler County, compensation of judge—
SB 61, pages 26, 54, 147, 290, 299, 483

Butler County, repealing provision for expense allowance for judge
of—
SB 64, pages 27, 54, 147, 290, 299, 483

Counties 600,000 population or more, compensation of judges—
HB 55, pages 135, 182, 219, 394
SB 36, pages 17, 51, 167

Jefferson County, establishment of—
HB 46, pages 94, 176, 199, 400
HB 47, pages 132, 182, 218, 393
SB 20, pages 11, 49, 154, 187
SB 21, pages 12, 49, 156

Lauderdale County, abolished—
HB 102, pages 115, 178, 227, 399
SB 99, pages 37, 56, 151

JACKSON COUNTY

Sheriff, employment of criminal investigator—
SB 111, pages 44, 92, 193

JACKSONVILLE STATE COLLEGE

"McCluer Chapel," designation of—
HJR 26, pages 261, 318

JAILS

County prisoners, conditional release of—
HB 10, pages 376, 377
SB 83, page 31

Municipal, removal of prisoner to another jail—
HB 182, pages 304, 424, 471, 480

JASPER, CITY OF

County court established for precincts within, compensation of
judge—
SB 15, pages 8, 54, 146, 290, 299, 483

JEFFERSON COUNTY

Bessemer, city of, boundaries altered—
HB 220, pages 302, 423, 466, 478, 483

Bessemer, city of, compensation and duties of members of govern-
ing body—
HB 51, pages 134, 177, 205, 399
SB 32, pages 16, 51, 162

Birmingham, city of, authorizing radio equipped motor vehicle for
mayor of—
HB 48, pages 134, 175, 199, 400
SB 56, pages 25, 53, 173

Birmingham, city of, benefits payable under policemen's pension
and relief fund—
HB 68, pages 98, 183, 222, 395
HB 70, pages 99, 183, 223, 313, 402
SB 22, pages 13, 49, 157
SB 24, pages 14, 50, 158

Birmingham, city of, class suits against board of trustees of pension
system of—
HB 188, pages 254, 295, 348, 433

Birmingham, city of, compensation of mayor—
HB 50, pages 134, 177, 205, 379
SB 31, pages 16, 51, 162

Birmingham, city of, contributions and benefits under employees'
pension and relief system—
HB 69, pages 99, 183, 223, 395
SB 23, pages 14, 49, 157

Birmingham, city of, creating office of city magistrate—
HB 73, pages 99, 184, 224, 395
SB 27, pages 14, 50, 159

Birmingham, city of, expense allowance for mayor of—
HB 49, pages 134, 177, 203, 313, 401
SB 30, pages 16, 50, 160

JEFFERSON COUNTY (Continued)

- Birmingham, city of, expense allowance for members of governing body of—
HB 76, pages 101, 184, 204, 313, 402
SB 51, pages 24, 53, 173
- Birmingham, city of, payment of medical expenses incurred by persons assisting policemen—
HB 44, pages 132, 180, 213, 398
SB 17, pages 11, 48, 153
- Board of education, naming of school buildings—
HB 77, pages 102, 184, 225, 396
- Board of equalization, duties, term of service, and compensation of members—
HB 261, pages 286, 328, 357, 416, 437
- Board of registrars, meetings of—
HB 43, pages 132, 180, 213, 398
SB 52, pages 24, 53, 173
- Circuit clerk, compensation—
HB 64, pages 97, 183, 221, 394
SB 45, pages 21, 52, 170
- Civil court, compensation of judges—
HB 56, pages 136, 182, 219, 394
SB 37, pages 17, 51, 168
- Community chest, exemption from certain licenses and taxes—
SB 54, pages 25, 187, 233, 406, 463, 476, 484
HB 83, page 303
- Conditional sales contracts, recordation of—
HB 143, page 305
SB 77, pages 30, 57, 271, 404, 425, 484
- County commission, compensation of president and members—
HB 60, pages 95, 178, 207, 400
SB 41, pages 20, 52, 169
- Criminal court, compensation of judges—
HB 57, pages 136, 177, 206, 399
SB 38, pages 18, 51, 168
- Fire prevention, creation of districts for, CA—
HB 178, pages 269, 329, 363, 438
SB 50, pages 23, 53, 172
- Garbage, creating system for collection of, CA—
HB 178, pages 269, 329, 363, 438
SB 50, pages 23, 53, 172
- Highways and bridges, regulating construction by municipalities within—
HB 40, pages 131, 176, 202, 401
SB 16, pages 10, 48, 152
- Inferior court, compensation of judges—
HB 55, pages 135, 182, 219, 394
SB 36, pages 17, 51, 167
- Inferior courts in certain precincts, establishment of—
HB 46, pages 94, 176, 199, 400
HB 47, pages 132, 182, 218, 393
SB 20, pages 11, 49, 154, 187
SB 21, pages 12, 49, 156

JEFFERSON COUNTY (Continued)

Judge, circuit, compensation—

HB 67, pages 98, 183, 222, 395

SB 48, pages 22, 53, 171

Judge of probate, compensation—

HB 66, pages 98, 183, 222, 395

SB 47, pages 22, 52, 171

Judge of probate, deputy, creating office of—

HB 65, pages 97, 183, 221, 395

SB 46, pages 21, 52, 171

Judge of probate, qualifications for holding office—

HB 71, pages 99, 184, 224, 395

SB 25, pages 14, 50, 158

Jurors, method of serving notice upon—

HB 38, pages 130, 176, 201, 401

SB 49, pages 22, 53, 172

Licenses, method of issuing—

HB 74, pages 99, 184, 224, 395

SB 28, pages 14, 50, 159

Motor vehicle operated by employee of, compensation for person for injury or damage to property caused by—

HB 42, pages 132, 177, 202, 401

Municipalities within, method of annexing territory to—

HB 72, pages 263, 294, 356

SB 26, pages 14, 50, 159, 284, 299, 483

Property annexed to municipalities, assessment of—

HB 37, pages 130, 176, 341, 342, 391, 392

Register, compensation—

HB 61, pages 95, 182, 220, 394

SB 42, pages 20, 52, 169

Sheriff, compensation—

HB 59, pages 95, 178, 207, 400

SB 40, pages 20, 52, 169

Sheriff for the Bessemer division, compensation of assistant to—

HB 58, pages 137, 178, 207, 400

SB 39, pages 18, 52, 168

Sheriff, retirement of assistants to—

HB 276, pages 390, 423, 472

SB 150, pages 243, 293, 345, 462, 476, 485

Solicitor, circuit, and deputy circuit and assistant deputy circuit solicitors, compensation—

HB 53, pages 138, 177, 206, 399

HB 54, pages 139, 182, 219, 394

SB 34, pages 17, 51, 163

SB 35, pages 17, 51, 164, 347

Tax assessor, compensation—

HB 62, pages 96, 183, 220, 394

SB 43, pages 20, 52, 170

Tax collector, compensation—

HB 62, pages 96, 183, 220, 394

SB 43, pages 20, 52, 170

JEFFERSON COUNTY (Continued)

Tobacco tax, levy, collection, and enforcement of—
HB 41, pages 132, 177, 203, 401
SB 18, pages 11, 48, 153, 347

Treasurer, compensation—
HB 52, pages 135, 182, 218, 394
SB 33, pages 17, 51, 163

Witness fee for each deputy sheriff subpoenaed, taxing of—
HB 75, pages 99, 184, 225, 396
SB 29, pages 14, 50, 160

JORDAN, JOHN HAMILTON

Commended—
HJR 28, pages 257, 318

JUDGE, CIRCUIT

See also: JUDICIAL CIRCUITS; CIRCUIT COURT; specific judicial circuit

Counties 600,000 population or more, compensation—
SB 48, pages 22, 53, 171

Fourth judicial circuit, compensation of associate judge of—
HB 23, pages 263, 296, 473
SB 87, pages 33, 55, 150, 316, 319, 484

Judicial circuits composed of one county 60,500 to 65,000 population and having two judges, compensation—
HB 101, pages 115, 178, 227, 399
SB 98, pages 37, 55, 151

Judicial circuits composed of one county 110,000 to 160,000 population, compensation—
HB 108, pages 121, 185, 193, 283
SB 103, pages 42, 92

Judicial circuits composed of one county 500,000 population or less and having two courthouses, compensation—
HB 226, pages 272, 328, 439, 456

Seventh judicial circuit, creating additional judgeship—
HB 244, pages 301, 309, 331, 403, 415, 437

Sixteenth judicial circuit, creating additional judgeship—
HB 206, page 304

Tenth judicial circuit, creating additional judgeship—
HB 219, pages 304, 331, 453, 472

Thirtieth judicial circuit, creating additional judgeship—
SB 142, page 175

Twelfth judicial circuit, creating additional judgeship—
HB 17, pages 254, 294, 371, 415, 430
SB 72, pages 30, 234, 280

JUDGE OF PROBATE

Counties 12,500 to 13,500 population, clerk-hire allowance—
HB 5, pages 105, 185, 226, 396
SB 74, pages 30, 55, 149

Counties 50,000 to 54,000 population, expense allowance—
SB 143, page 232

JUDGE OF PROBATE (Continued)

Counties 76,000 to 96,000 population, compensation and expense allowance—

HB 246, pages 273, 327, 355, 437

Counties 80,000 population or less, recordation of conditional sales contracts—

HB 143, page 305

SB 77, pages 30, 57, 271, 404, 425, 484

Counties 300,000 to 500,000 population, compensation—

HB 120, pages 103, 180, 214, 398

Counties 500,000 population or more, creating office of deputy to—

HB 65, pages 97, 183, 221, 395

SB 46, pages 21, 52, 171

Counties 500,000 population or more, qualifications for holding office—

HB 71, pages 99, 184, 224, 395

SB 25, pages 14, 50, 158

Counties 600,000 population or more, compensation—

HB 66, pages 98, 183, 222, 395

SB 47, pages 22, 52, 171

Estates, regulating settlement by consent without notice—

HB 185, page 304

Mobile County, compensation of chiefs or divisions of office of—

HB 281, pages 380, 390, 424, 470, 481

JUDICIAL CIRCUITS

See also: CIRCUIT COURT; specific judicial circuit

Circuits composed of one county and having not less than one nor more than four judges, creating positions of administrative assistant and legal stenographer to—

HB 187, pages 273, 330, 363, 433

Circuits composed of one county and having not less than four nor more than nine judges, compensation of solicitor—

HB 130, pages 104, 181, 217, 393

Circuits composed of one county and having three or more judges, compensation of bailiffs—

HB 124, pages 103, 180, 214, 398, 458, 459, 481

Circuits composed of one county less than 500,000 population and having two courthouses where circuit court is required by law to be held, office space, supplies, and clerical assistance for board of registrars—

HB 268, page 312

SB 148, pages 232, 251, 374, 462, 476, 485

Circuits composed of one county, 60,000 to 65,000 population and having two judges, compensation of judges—

HB 101, pages 115, 178, 227, 399

SB 98, pages 37, 55, 151

Circuits composed of one county 65,000 to 95,000 population, appointment and compensation of bailiffs—

HB 158, pages 129, 179, 211, 397

SB 10, pages 7, 54, 145

JUDICIAL CIRCUITS (Continued)

Circuits composed of one county 110,000 to 160,000 population, compensation of judges—
SB 103, pages 42, 92

Circuits composed of one county 500,000 population or less and having two courthouses, compensation of judges—
HB 226, pages 272, 328, 439, 456

Circuits composed of one county 500,000 population or less and having two courthouses, compensation of register—
SB 112, pages 45, 92, 193

Circuits composed of three or more counties, expense allowance for solicitor of—
HB 172, page 377

Circuits composed of two counties and having two judges, compensation of court reporters—
HB 248, page 300

Eighth judicial circuit, regulating expenditures from solicitor's fund—
HB 191, pages 269, 330, 376, 434

Fourth judicial circuit, compensation of associate judge—
HB 23, pages 263, 296, 473
SB 87, pages 33, 55, 150, 316, 319, 484

Seventh judicial circuit, creating additional judgeship—
HB 244, pages 301, 309, 331, 403, 415, 437

Sixteenth judicial circuit, creating additional judgeship—
HB 206, page 304

Sixth judicial circuit, establishment of circuit court fund—
SB 14, page 8

Tenth judicial circuit, compensation of deputy circuit clerk
HB 63, pages 96, 183, 220, 394
SB 44, pages 20, 52, 170

Tenth judicial circuit, creating additional judgeship—
HB 219, pages 304, 331, 453, 472

Thirteenth judicial circuit, appointment and compensation of deputy circuit solicitors—
HB 127, pages 103, 181, 215, 398

Thirtieth judicial circuit, creating additional judgeship—
SB 142, page 175

Twelfth judicial circuit, creating additional judgeship for—
HB 17, pages 254, 294, 371, 415, 430
SB 72, pages 30, 234, 280

Twenty-third judicial circuit, compensation of judges—
HB 108, pages 121, 185, 193, 283
SB 103, pages 42, 92

JUNIOR COLLEGES

Alabama trade school and junior college authority authorized to issue bonds—
HB 112, pages 236, 251, 334, 335, 336, 337, 338, 341, 391

JURORS

Counties 25,400 to 25,600 population, compensation—

HB 3, page 105

SB 69, pages 29, 55, 148, 290, 299, 483

Counties 25,500 to 25,700 population, compensation—

HB 241, pages 273, 327, 353, 436, 464

Counties 31,500 to 33,500 population, compensation—

HB 227, pages 272, 326, 351, 435

Counties 51,000 to 56,000 population, compensation—

SB 128, pages 69, 93, 198, 315, 320, 484

DeKalb County, compensation—

SB 101, pages 40, 92, 230, 391, 419, 484

Jefferson County, method of serving notice upon—

HB 38, pages 130, 176, 201, 401

SB 49, pages 22, 53, 172

Jury commission, meetings and compensation of members—

SB 114, pages 46, 252

Lee County, compensation—

HB 104, pages 120, 180, 212, 397

JURY COMMISSION

Counties 42,000 to 46,000 population, compensation of members

HB 235, pages 272, 332, 367, 436

SB 102, page 41

SB 123, pages 68, 93, 198, 390, 419, 484

Counties 65,000 to 95,000 population, compensation of clerk—

SB 8, pages 7, 54, 144, 289, 298, 483

Counties 96,000 to 106,000 population, compensation of clerk and members of—

HB 207, pages 276, 329, 361, 435

Meetings and compensation of members—

SB 114, pages 46, 252

JUSTICES OF THE PEACE

Counties 96,000 to 106,000 population, jurisdiction—

HB 31, pages 253, 328, 358, 416, 430

JUVENILE COURT

Pike County, compensation of clerk of—

HB 152, pages 126, 179, 210, 397

Probationary service in counties, provided for—

HB 142, pages 300, 332, 417, 449

KILBY PRISON

Highway camps, creating office of spiritual guidance counselor for—

SB 95, pages 36, 56

LABOR DAY

Governor requested to urge Alabamians to take extra safety precautions—

HJR 46, pages 448, 472

LABOR, STATE DEPARTMENT OF

Committee on the aging, membership, organization, authority, and
appointment of executive officer—
SB 92, pages 36, 91, 281, 403, 404, 425, 484

LAMAR COUNTY

Courthouse, closing of offices in—
HB 97, pages 111, 250, 343, 392

Election officials, compensation—
HB 96, page 111

Fishing regulated—
HB 94, pages 108, 178, 208, 400

Sulligent, town of, boundaries altered—
HB 95, pages 110, 250, 343, 392

Superintendent of education, compensation—
HB 98, pages 112, 178, 208, 396

LAUDERDALE COUNTY

County court created in lieu of inferior court—
HB 102, pages 115, 178, 227, 399
SB 99, pages 37, 56, 151

Florence, city of, boundaries altered—
HB 99, pages 112, 178, 226, 399

Judge, circuit, supplemental compensation—
HB 101, pages 115, 178, 227, 399
SB 98, pages 37, 55, 151

Tobacco tax levied—
HB 100, pages 113, 251, 367, 431

LAWRENCE COUNTY

Board of revenue, compensation and expense allowance of chairman
and members—
HB 184, pages 268, 329, 375, 433

Hill, Chester Dee, relief of—
HB 251, pages 287, 327, 375, 437

LEE COUNTY

Coroner, expense allowance—
HB 103, pages 119, 180, 212, 398

Hunting preserves, private, licensing and regulation of—
HB 105, pages 121, 180, 211, 397

Jurors, compensation—
HB 104, pages 120, 180, 212, 397

LEGISLATURE

See also: ACTS OF ALABAMA; HOUSE OF REPRESENTATIVES;
RESOLUTIONS; SENATE

Adjournment—
HJR 44, pages 407, 408, 409, 410, 414
SJR 4, page 65

LEGISLATURE (Continued)

Adjournment sine die—

HJR 56, page 476

SJR 13, page 309

SJR 18, page 427

Appropriation, expenses of—

HB 111, pages 89, 94, 187, 192

SB 94, pages 36, 56, 81

“Civil Rights Act of 1964,” voiding of, within the state of Alabama—

HB 285, pages 448, 449, 460

SB 158, page 325

Clerical assistance after adjournment of—

HJR 48, pages 440, 456

Committee appointed to notify governor that legislature is in session—

HJR 2, page 8

SJR 1, pages 4, 37

Committee on uniform commercial code, creating—

SJR 19, pages 427, 455, 477, 479, 485, 485

Committee to inform governor of sine die adjournment, created—

SJR 23, pages 474, 475

Committee to promote writing and printing of textbooks by Alabamians, created—

HJR 55, pages 474, 478, 482

Committee to study and advise with state board of corrections, created—

SJR 22, pages 457, 462, 476, 477, 479, 485, 485

Committee to study apportionment, created—

HJR 6, pages 58, 139, 479, 485

Congress memorialized to take certain action relative to reapportionment of—

HJR 5, pages 57, 139

HJR 12, pages 62, 140

Governor, joint session to hear address by—

HJR 3, page 9

HJR 14, page 65

Joint Session, to hear Katy Sue Meredith—

Page 70

Joint Session, to hear message of Governor Wallace—

Page 10

Joint Session, to hear message of Governor Wallace—

Page 66

Journals, printing and binding of—

HJR 47, pages 440, 456

National conference of state legislative leaders, payment of dues to—

HJR 15, pages 85, 140

Parking places for legislators, designation of—

HJR 23, pages 141, 192, 258

Sanders, governor Carl, invited to address—

HJR 16, pages 85, 140

LEGISLATURE (Continued)

Senate, appointment of principal clerk—
SR 2, page 38

Senate, reapportionment of, CA—
SB 1, page 5
SB 2, pages 5, 56, 451

LICENSE COMMISSIONER

Counties 300,000 to 500,000 population, compensation—
HB 131, pages 104, 181, 217, 393

LICENSE INSPECTOR

Counties 96,000 to 106,000 population, term of office—
HB 151, pages 125, 179, 209, 397

Counties 150,000 to 300,000 population, appointment, duties, and
compensation—
HB 231, pages 286, 326, 352, 436

Counties 225,000 to 400,000 population, compensation—
HB 122, pages 103, 180, 214, 398

LICENSES

Alabama masonic home, exemption from—
HB 264, pages 410, 414, 422, 461, 475, 481

Calhoun County, city of Anniston, collection and enforcement of
privilege license taxes—
HB 171, pages 410, 414, 422, 461, 475, 481
SB 127, pages 68, 93, 196, 311, 320, 484

Counties 500,000 population or more, method of issuing—
HB 74, pages 99, 184, 224, 395
SB 28, pages 14, 50, 159

Jefferson County community chest, incorporated, exemption from—
SB 54, pages 25, 187, 233, 406, 463, 476, 484

Mobile County, levy of license tax on motor vehicles—
HB 282, pages 410, 414

Sanitarians—
HB 156, pages 274, 308, 373, 432
SB 60, page 25

LIEUTENANT GOVERNOR

Succession to office, authorized, CA—
SB 71, pages 30, 47, 82

LIQUOR

See: ALCOHOLIC BEVERAGES

LITTLEVILLE, TOWN OF

Boundaries altered—
HB 18, pages 263, 294, 430

LIVESTOCK

Meat and meat products, imported, requiring identification of—
SB 124, pages 68, 252

LONG, GEORGE W.

Naming of school at Skipperville in honor of—
HJR 32, pages 260, 450, 471

MACON COUNTY

Board of registrars, meetings, supplies, and clerical assistance—
SB 147, pages 232, 251, 344

Hunting preserves, private, licensing and regulation of—
HB 211, pages 276, 296, 356
SB 120, pages 46, 93, 195, 310, 319, 484

MADISON COUNTY

Branch banks authorized—
HB 160, pages 130, 185, 194, 283
SB 105, pages 43, 92
SB 107, pages 43, 92, 194, 391, 419, 484

Conditional sales contracts, recordation of—
HB 143, page 305
SB 77, pages 30, 57, 271, 404, 425, 484

Court of county commissioners, compensation of chairman and members—
HB 109, pages 122, 185, 195, 283
SB 116, pages 46, 92

Judge, circuit, compensation—
HB 108, pages 121, 185, 193, 283
SB 103, pages 42, 92

Williams, Willie B., relief of—
SB 104, pages 42, 92, 194, 391, 419, 484

MAGISTRATES

Cities 300,000 population or more, creating office of city magistrate—
HB 73, pages 99, 184, 224, 395
SB 27, pages 14, 50, 159

“Search warrant,” defined—
SB 155, pages 250, 292

MAID OF COTTON

Meredith, Katie Sue, extending congratulations to—
HJR 8, pages 59, 140

MARITAL RELATIONS

Divorce, prescribing grounds for—
HB 201, page 304

MARRIAGE AND DIVORCE

Divorce, prescribing grounds for—
HB 201, page 304

MARSHALL COUNTY

Register, circuit court, compensation—
SB 112, pages 45, 92, 193

MARTIN, REPRESENTATIVE W. L. (DOC)

Mourning death of—
HJR 4, pages 37, 139

MARTIN, P. T.

Greene County, relief of—
SB 91, pages 35, 55, 151, 291, 300, 483

MAYOR

Cities 28,000 to 29,000 population, compensation—
SB 88, pages 33, 251, 308, 442, 455, 484

Cities 200,000 population or more, compensation—
HB 50, pages 134, 177, 205, 379
SB 31, pages 16, 51, 162

Cities 300,000 population or more, expense allowance for—
HB 49, pages 134, 177, 203, 313, 401
SB 30, pages 16, 50, 160

McCLUER CHAPEL

Jacksonville state college, designation of—
HJR 26, pages 261, 318

MEAT AND MEAT PRODUCTS

Imported, requiring identification of—
SB 124, pages 68, 252

MEREDITH, KATIE SUE

Extending congratulations to—
HJR 8, pages 59, 140

MESSAGE FROM THE HOUSE

On organization of—
Page 4

MINES AND MINING

Municipal industrial development boards, authorized to promote
manufacture, processing, or assembly of mineral products—
HB 136, page 274
SB 133, pages 69, 185, 278, 405, 426, 484

MINORS

“Alabama Uniform Gifts to Minors Act,” savings and loan associa-
tions covered under—
HB 141, pages 305, 423, 464, 480
SB 76, pages 30, 91

Counties 100,000 to 115,000 population, regulating operation of child
care institutions—
HB 196, pages 269, 296, 349, 434
HB 214, pages 277, 330, 364, 435

Delinquency of, penalty for contributing to—
HB 89, page 305

Guardian, appointment of mother or father as—
HB 210, pages 414, 422, 461, 480

MINORS (Continued)

Juvenile court, providing probationary service for—
HB 142, pages 300, 332, 417, 449

Penalty for enticing for immoral purposes—
HB 88, page 305

MOBILE BAY

Battle of, commending Mobile County, the city of Mobile, and the State for their efforts to memorialize centennial of—
HJR 10, pages 61, 140

Designating tunnel under, as the "George C. Wallace Tunnel"—
HJR 11, pages 62, 140

MOBILE, CITY OF

Chief of police, merit system status for—
HB 137, pages 104, 251, 369, 418, 450, 451, 472

Pension system, class suits against board of trustees of—
HB 188, pages 254, 295, 348, 433

Policemen's and fire fighter's pension and relief fund, created—
HB 278, pages 381, 390, 424, 467, 468, 469, 475, 482
SB 152, pages 243, 293, 370

MOBILE COUNTY

Ad valorem tax for hospital purposes, levy and collection of—
HB 139, pages 263, 294, 370, 438

Advisory referendums, provided for—
HB 115, pages 102, 368, 417, 432

Assessment of real property, period for—
HB 128, pages 104, 181, 216, 393

Board of registrars, compensation of members—
HB 126, pages 103, 181, 215, 398

Circuit court, compensation of deputy register of domestic relations division of—
HB 129, pages 104, 181, 216, 393

Circuit court, compensation of solicitor of the domestic relations division of—
HB 130, pages 104, 181, 217, 393

Conditional sales contracts, recordation of—
HB 143, page 305
SB 77, pages 30, 57, 271, 404, 425, 484

County commission, compensation of members—
HB 125, pages 103, 181, 215, 398

Court of general sessions, appointment and compensation of bailiffs—
HB 118, pages 312, 331, 364, 432

Inferior civil court, compensation of judge—
HB 269, pages 390, 423, 464, 480

Judge of probate, compensation—
HB 120, pages 103, 180, 214, 398

Judge of probate, compensation of chiefs of divisions of office of—
HB 281, pages 380, 390, 424, 470, 481

MOBILE COUNTY (Continued)

- License commissioner, compensation—
HB 131, pages 104, 181, 217, 393
- License inspector and chief clerk, compensation—
HB 122, pages 103, 180, 214, 398
- Mobile, city of, class suits against board of trustees of pension system of—
HB 188, pages 254, 295, 348, 433
- Mobile, city of, creating policemen's and fire fighter's pension and relief fund—
HB 278, pages 381, 390, 424, 467, 468, 469, 475, 482
SB 152, pages 243, 293, 370
- Mobile, city of, merit system status for chief of police of—
HB 137, pages 104, 251, 369, 418, 450, 451, 472
- Motor vehicles, levy of license tax and registration fee on—
HB 282, pages 410, 414
- Sheriff, compensation of deputies and assistants to—
HB 253, pages 303, 331, 366, 437
HB 280, pages 378, 390, 424, 469, 481
- Sheriff, exemption from liability—
HB 117, page 102
- Sheriff, uniforms for deputies—
HB 252, pages 287, 327, 355, 437
HB 279, pages 389, 390, 424, 466, 480
- South Brookley little league team, extending congratulations to—
SJR 12, pages 297, 312, 320, 484
- Tax assessor, fee provided for program of tax equalization—
SB 139, pages 91, 181, 217
- Treasurer, assistant, appointment and compensation—
HB 119, pages 102, 180, 213, 398

MOBILE RIVER

- Appropriation, survey of mineral, water, and petroleum resources of counties within basin of—
SB 62, pages 27, 48

MONROE COUNTY

- Tax assessor, clerical assistance—
HB 283, pages 378, 390, 424, 470, 481
SB 154, pages 250, 293, 345, 462, 477, 485
- Tax collector, clerical assistance—
HB 284, pages 378, 390, 424, 470, 481
SB 153, pages 250, 293, 345, 462, 477, 485

MONTGOMERY, CITY OF

- Pension system, class suits against board of trustees of—
HB 188, pages 254, 295, 348, 433

MONTGOMERY COUNTY

- Board of equalization, appointment of members—
HB 230, pages 286, 326, 351, 436

MONTGOMERY COUNTY (Continued)

Board of registrars, appointment and compensation of members—
HB 232, pages 286, 327, 352, 436

Board of registrars, meetings of—
HB 202, pages 311, 331, 365, 434

Circuit court, domestic relations division of, issuance of warrants
and administering of oaths—
HB 260, page 312

Conditional sales contracts, recordation of—
HB 143, page 305
SB 77, pages 30, 57, 271, 404, 425, 484

Election officials, compensation—
HB 258, pages 312, 332, 365, 417, 437

Housing authority, compensation and duties of director and assistant
director—
HB 199, pages 287, 296, 349, 434

License inspectors, appointment, duties, and compensation—
HB 231, pages 286, 326, 352, 436

Montgomery, city of, class suits against board of trustees of pension
system of—
HB 188, pages 254, 295, 348, 433

MORGAN COUNTY

Board of revenue and control, compensation of chairman and
members—
HB 147, pages 122, 184, 226, 396

Court reporters, compensation—
HB 146, pages 122, 184, 226, 396

Decatur, city of, boundaries altered—
HB 148, pages 122, 179, 209, 396
SB 5, pages 5, 53, 144, 289, 298, 483

Hartselle, town of, boundaries altered—
HB 190, pages 268, 330, 375, 434

Trinity, town of, boundaries altered—
HB 149, pages 123, 179, 209, 396

MOTEL

Definition of, under alcoholic beverage control laws—
HB 132, page 303

MOTOR VEHICLES

Four-lane highways, speed limit on—
HJR 25, pages 142, 340, 392

License tags, transfer of—
HB 123, page 253

Mobile County, levy of license tax and registration fee on—
HB 282, pages 410, 414

Traffic violations, assessing additional penalty for driver education
and training fund—
HB 84, pages 414, 425, 471, 478, 479, 482, 482

MOTOR VEHICLES (Continued)

Truck-tractors, placement of license tags on—
SB 149, page 233

Weight limitations of—
SB 157, page 307

MULLINS, MARYON PITTMAN

Extending congratulations on marriage of—
SJR 3, pages 64, 83, 88, 483

MUNICIPALITIES

See: CITIES, GENERAL LAWS; name of specific city or town; city
or town on population basis

NASH, T. R.

Mourning death of—
HJR 30, pages 260, 319

NATIONAL BROADCASTING COMPANY

Criticized for its prejudiced manner—
HJR 54, page 473

NATIONAL GUARD

Absentee voting by members of—
HB 236, pages 303, 330, 405, 436
SB 132, pages 69, 94

NINETEENTH JUDICIAL CIRCUIT

Solicitor, expense allowance—
HB 172, page 377

NINTH JUDICIAL CIRCUIT

Solicitor, expense allowance—
HB 172, page 377

NORTHEAST ALABAMA FARMERS MARKET

Appropriation—
SB 144, pages 232, 252

ORDER OF WOMEN LEGISLATORS

Appointing Mrs. Clara Stone Fields as Alabama's delegation to con-
vention of—
HJR 45, pages 446, 471

ORGANIZATIONS

Alabama masonic home, exemption from certain licenses and taxes—
HB 264, pages 410, 414, 422, 461, 475, 481

Charitable contributions allowed as deduction for income tax pur-
poses, amount of—
SB 55, pages 25, 56, 306

Jefferson County community chest, incorporated, exemption from
certain licenses and taxes—
SB 54, pages 25, 187, 233, 406, 463, 476, 484

PALUMBO, JOSEPH

Extending congratulations to—
HJR 40, pages 441, 456

PARDON AND PAROLES

Notice of granting, providing for waiver of—
HB 7, page 306
SB 79, page 30

Pardon or parole of person whose sentence has been commuted to life imprisonment, repealing provision for—
SB 84, page 31

Parole, deduction of time for good behavior of person released on—
SB 80, page 31

PARDON AND PAROLES, STATE BOARD OF

Compensation of members—
HB 135, page 254
SB 81, pages 31, 233

PARKS AND MONUMENTS

"Confederate Memorial Park," designation of—
HJR 51, pages 444, 472

Gulf state park, construction of fishing pier at—
HB 1, pages 376, 377, 422, 463, 479
SB 66, pages 22, 224, 281, 405, 425, 484

USS Alabama battleship commission, counties authorized to make appropriations to—
HB 134, pages 305, 331, 421, 451, 472
SB 141, pages 175, 235, 308

PENSION AND RELIEF SYSTEMS

See: RETIREMENT SYSTEMS

PENSIONS AND SECURITY, STATE DEPARTMENT OF

Public welfare trust fund, used to provide probationary service to juvenile courts in certain counties—
HB 142, pages 300, 332, 417, 449

PIKE COUNTY

Circuit clerk, deputy, compensation—
HB 153, pages 127, 179, 210, 397

Juvenile court, compensation of clerk—
HB 152, pages 126, 179, 210, 397

Tax assessor, deputy, compensation—
HB 150, pages 124, 179, 209, 397

Tax collector, deputy, compensation—
HB 151, pages 125, 179, 209, 397

Troy, city of, boundaries altered—
HB 254, pages 287, 327, 355, 437

POLICEMEN

Cities 100,000 population or more, benefits payable under pension and relief fund—
HB 68, pages 98, 183, 222, 395
SB 22, pages 13, 49, 157

POLICEMEN (Continued)

Cities 200,000 to 300,000 population, merit system status for chief of police of—

HB 137, pages 104, 251, 369, 418, 450, 451, 472

Cities 250,000 population or more, benefits payable under retirement and relief system—

HB 70, pages 99, 183, 223, 313, 402

SB 24, pages 14, 50, 158

Mobile County, city of Mobile, creating pension and relief fund for—

HB 278, pages 381, 390, 424, 467, 468, 469, 475, 482

SB 152, pages 243, 293, 370

POWERS, VICKI

Extending congratulations to—

SJR 10, pages 253, 312, 320, 484

PRIMARY ELECTIONS

Absentee voting by persons in national guard and other reserve components—

HB 236, pages 303, 330, 405, 436

SB 132, pages 69, 94

Cities 300,000 population or less, regulating conduct of—

SB 19, pages 11, 48, 153, 442, 455, 484

Counties 13,700 to 14,300 population, compensation of election officials—

HB 96, page 111

Counties 15,417 to 16,303 population, compensation of election officials—

HB 32, pages 108, 176, 199, 400

Counties 24,800 to 25,400 population, providing for the use of paper ballots at—

HB 155, pages 129, 180, 212, 233, 397

Counties 25,400 to 25,600 population, compensation of election officials—

HB 4, page 105

SB 70, pages 29, 55, 148, 290, 299, 483

Counties 51,000 to 56,000 population, compensation of election officials—

SB 129, pages 69, 93, 197, 315, 320, 484

Counties 65,000 to 85,000 population, compensation of election officials—

HB 157, pages 129, 179, 210, 397

Counties 65,000 to 95,000 population, compensation of election officials—

SB 11, pages 7, 54, 145

Counties 150,000 to 300,000 population, compensation of election officials—

HB 258, pages 312, 332, 365, 417, 437

DeKalb County, compensation of election officials—

SB 100, pages 39, 92, 229, 391, 418, 484

PRISONERS

Charges pending against defendants or filed against defendants serving sentences in the penitentiary, time of trial or dismissal of—

HB 9, page 306

SB 82, page 31

County prisoners, conditional release of—

HB 10, pages 376, 377

SB 83, page 31

Highway camps, creating office of spiritual guidance counselor for—
SB 95, pages 36, 56

Municipal jails, removal of prisoner to another jail—

HB 182, pages 304, 424, 471, 480

Pardon or parole of person whose sentence has been commuted to life imprisonment, repealing provision for—

SB 84, page 31

Pardons and paroles, waiver of notice of granting—

SB 79, page 30

Parole, deduction of time for good behavior of person released on—

SB 80, page 31

Sex offenders, requiring segregation of—

HB 85, page 305

PRIVILEGE LICENSES

See: LICENSES

PROBATE JUDGE

See: JUDGE OF PROBATE

PROFESSIONS AND OCCUPATIONS

Chiropractic examiners, state board of, appropriation—

HB 193, pages 300, 330, 374, 434

Chiropractors, fee for renewal of certificate of qualification—

HB 159, pages 301, 330, 373, 432

State bar, method of becoming member of—

HB 237, page 300

PROPERTY

See also: REAL PROPERTY

Alabama masonic home, exemption from certain licenses and taxes—

HB 264, pages 410, 414, 422, 461, 475, 481

Apartment ownership, providing for—

HB 81, pages 275, 292, 452, 458, 472

SB 130, page 69

Conditional sales contracts, recordation of—

HB 143, page 305

SB 77, pages 30, 57, 271, 404, 425, 484

Counties 80,000 population or less, recordation of conditional sales contracts—

HB 143, page 305

SB 77, pages 30, 57, 271, 404, 425, 484

PROPERTY (Continued)

Jefferson County community chest, incorporated, exemption from certain licenses and taxes—
SB 54, pages 25, 187, 233, 406, 463, 476, 484

PROPERTY AND CONVEYANCES

Conditional sales contracts, recordation of—
HB 143, page 305
SB 77, pages 30, 57, 271, 404, 425, 484

PUBLIC HEALTH

Meat and meat products, imported, requiring identification of—
SB 124, pages 68, 252
Sanitarians, examination, qualifications, and registration of—
HB 156, pages 274, 308, 377, 432
SB 60, page 25

PUBLIC SAFETY, STATE DEPARTMENT OF

Four-lane highways, speed limit on—
HJR 25, pages 142, 340, 392
Motor vehicle license tags, transfer of—
HB 123, page 253

PUBLIC WELFARE

Trust fund, providing probationary service to juvenile courts in certain counties—
HB 142, pages 300, 332, 417, 449

RAINBOW CITY, TOWN OF

Boundaries altered—
HB 29, pages 264, 328, 357, 430

RANDOLPH COUNTY

Court of county commissioners, compensation of members—
SB 156, pages 307, 367, 440

REAL PROPERTY

Alabama masonic home, exemption from certain licenses and taxes—
HB 264, pages 410, 414, 422, 461, 475, 481
Counties 300,000 to 500,000 population, period for assessment of—
HB 128, pages 104, 181, 216, 393
Counties 500,000 population or more, assessment of property annexed to municipalities within—
HB 37, pages 130, 176, 341, 342, 391, 392
Jefferson County community chest, incorporated, exemption from certain licenses and taxes—
SB 54, pages 25, 187, 233, 406, 463, 476, 484

REAPPORTIONMENT

Senate, CA—
SB 1, page 5
SB 2, pages 5, 56, 451

REDISTRICTING

Congressional—

- SB 7, page 7
- SB 57, page 25
- SB 63, page 27
- SB 67, pages 29, 47, 82, 88, 188, 298
- SB 96, page 36
- SB 97, page 37
- SB 136, page 70

REGISTER, CIRCUIT COURT

- Counties 42,000 to 46,000 population, compensation of deputy clerk—
 - HB 275, pages 378, 390, 423, 466, 480
 - SB 140, pages 175, 234, 342, 463, 476, 485
- Counties 225,000 to 500,000 population, compensation of deputy register of domestic relations division of circuit court in—
 - HB 129, pages 104, 181, 216, 393
- Counties 600,000 population or more, compensation—
 - HB 61, pages 95, 182, 220, 394
 - SB 42, pages 20, 52, 169
- Funds held by, investment of—
 - SB 75, page 30
- Judicial circuits composed of one county 500,000 population or less and having two courthouses, compensation—
 - SB 112, pages 45, 92, 193

REGISTRATION OF VOTERS

See also: BOARD OF REGISTRARS; VOTERS

- Board of registrars, meetings and compensation of members—
 - SB 114, pages 46, 252
- Board of registrars, subject to approval of state sovereignty commission, authorized to regulate—
 - HB 11, pages 414, 422, 463, 479
- Counties 26,000 to 27,000 population, meetings, supplies, and clerical assistance for board of registrars—
 - SB 147, pages 232, 251, 344
- Counties 31,500 to 33,500 population, compensation of members of board of registrars—
 - HB 228, pages 272, 326, 351, 435
- Counties 38,000 to 45,000 population, compensation of members of board of registrars—
 - SB 137, pages 70, 93, 230, 391, 419, 484
- Counties 48,500 to 49,500 population, compensation of members of boards of registration—
 - HB 271, pages 378, 390, 423, 465, 480
- Counties 96,000 to 106,000 population, meetings of board of registrars—
 - HB 203, pages 276, 329, 359, 415, 435
- Counties 150,000 to 300,000 population, compensation of members of board of registrars—
 - HB 232, pages 286, 327, 352, 436

REGISTRATION OF VOTERS (Continued)

Counties 150,000 to 300,000 population, meetings of board of registrars—

HB 202, pages 311, 331, 365, 434

Counties 400,000 population or more, meetings of board of registrars—

HB 43, pages 132, 180, 213, 398

SB 52, pages 24, 53, 173

Greene County, compensation of members of board of registrars—

SB 89, pages 33, 55, 150, 291, 299, 483

Judicial circuits composed of one county less than 500,000 population and having two courthouses where circuit court is required to be held, office space, supplies, and clerical assistance for board of registrars—

HB 268, page 312

SB 148, pages 232, 251, 374, 462, 476, 485

REIDENTIFICATION OF VOTERS

Counties 100,000 to 115,000 population, provided for—

HB 195, pages 269, 295, 344, 416, 434

RELIEF ACTS LOCAL

Butler County, Joseph H. Till, Jr.—

SB 66, pages 28, 55, 148, 290, 299, 483

Counties 22,550 to 24,550 population, Chester Dee Hill—

HB 251, pages 287, 327, 375, 437

Greene County, P. T. Martin—

SB 91, pages 35, 55, 151, 291, 300, 483

Madison County, Willie B. Williams—

SB 104, pages 42, 92, 194, 391, 419, 484

RESOLUTIONS

Abbott, L. C., mourning death of—

HJR 49, pages 447, 472

Adams, senator Charles H., expressing regret on illness of—

SJR 16, pages 407, 415, 426, 484

Alison, doctor Samuel Beekman, mourning death of—

HJR 36, pages 270, 319

Allen, lieutenant-governor James B., extending congratulations on marriage of—

SJR 3, pages 64, 83, 88, 483

American legion commended for efforts on behalf of enshrinement of battleship USS Alabama—

SJR 20, pages 428, 444, 456, 484

Bay Minette key club, commended—

HJR 24, pages 141, 192

Bowers, representative Quinton R., extending congratulations to—

HJR 18, pages 84, 188

Brantley, Alex E., mourning death of—

HJR 43, pages 446, 471

Camp, commander William B., extending congratulations to—

HJR 41, pages 441, 456

RESOLUTIONS (Continued)

- Capitol, repair of walls in north wing of—
SR 8, page 143
- “Confederate Memorial Park,” designation of—
HJR 51, pages 444, 472
- Congress memorialized to take certain action relative to apportionment of legislature—
HJR 5, pages 57, 139
HJR 12, pages 62, 140
- Crawford, Shirley, commended—
HJR 28, pages 257, 318
- Dale County, naming of school at Skipperville in honor of superintendent George W. Long—
HJR 32, pages 260, 450, 471
- Davis, representative Gilbert Eugene, Sr., mourning death of—
HJR 22, pages 86, 141
- Democratic national convention, Alabama delegation commended—
SR 21, pages 439, 449
- Draughon, doctor Ralph Brown, expressing appreciation to—
HJR 33, pages 255, 319
- Fields, representative Clara Stone, appointed as Alabama’s delegate to convention of Order of Women Legislators—
HJR 45, pages 446, 471
- “George C. Wallace Tunnel,” designation of—
HJR 11, pages 62, 140
- Harris, Mrs. Edna, expressing pleasure at recovery of—
HJR 17, pages 85, 140
- Highways, four-lane, speed limit on—
HJR 25, pages 142, 340, 392
- Jacksonville state college, designation of “McCluer Chapel”—
HJR 26, pages 261, 318
- Jordan, John Hamilton, commended—
HJR 28, pages 257, 318
- Labor day week-end, governor requested to urge Alabamians to take extra safety precautions during—
HJR 46, pages 448, 472
- Legislature, adjournment—
HJR 44, pages 407, 408, 409, 410, 414
SJR 4, page 65
- Legislature, adjournment sine die—
HJR 56, page 476
SJR 13, page 309
SJR 18, page 427
- Legislature, clerical assistance after adjournment of—
HJR 48, pages 440, 456
- Legislature, creating committee on uniform commercial code—
SJR 19, pages 427, 455, 477, 479, 485, 485
- Legislature, creating committee to inform governor of sine die adjournment—
SJR 23, pages 474, 475

RESOLUTIONS (Continued)

- Legislature, creating committee to inform governor that legislature is in session—
HJR 2, page 8
SJR 1, pages 4, 37
- Legislature, creating committee to promote writing and printing of textbooks by Alabamians—
HJR 55, pages 474, 478, 482
- Legislature, creating committee to study and advise with state board of corrections—
SJR 22, pages 457, 462, 476, 477, 479, 485, 485
- Legislature, creating committee to study apportionment of—
HJR 6, pages 58, 139, 479, 485
- Legislature, designation of parking places for members of—
HJR 23, pages 141, 192, 258
- Legislature, joint session to hear address by governor—
HJR 3, page 9
HJR 14, page 65
- Legislature, payment of dues to national conference of state legislative leaders—
HJR 15, pages 85, 140
- Martin, representative W. L. (Doc), mourning death of—
HJR 4, pages 37, 139
- “McCluer Chapel,” designation of—
HJR 26, pages 261, 318
- Meredith, Katie Sue, extending congratulations to—
HJR 8, pages 59, 140
- Mobile bay, battle of, commending Mobile County, the city of Mobile, and the State for their efforts to memorialize—
HJR 10, pages 61, 140
- Mullins, Maryon Pittman, extending congratulations on marriage of—
SJR 3, pages 64, 83, 88, 483
- Nash, T. R., mourning death of—
HJR 30, pages 260, 319
- National broadcasting company criticized for its prejudiced manner—
HJR 54, page 473
- Palumbo, Joseph, extending congratulations to—
HJR 40, pages 441, 456
- Powers, Vicki, extending congratulations to—
SJR 10, pages 253, 312, 320, 484
- Robert E. Lee high school band, commended—
HJR 38, pages 277, 319
- Roberts, Robert E., commended—
HJR 39, pages 313, 402
- Rutland, Robert Horton, mourning death of—
HJR 19, pages 87, 188
SJR 6, pages 84, 257, 284, 483
- Sanders, governor Carl, invited to address legislature—
HJR 16, pages 85, 140

RESOLUTIONS (Continued)

Senate, adjournment—
SR 15, page 322

Senate, appointment of principal clerk—
SR 2, page 38

Senate, requesting return of House Bill 84 for reconsideration—
SJR 24, page 477

Senate, special order—
SR 5, page 81
SR 9, page 188
SR 14, pages 321, 322, 323

Senators, United States, congress memorialized to establish residential qualifications for—
HJR 42, pages 443, 471

Sidney Lanier high school drill team and color guard, commended—
SJR 11, pages 282, 312, 320, 484

Skipperville, naming of school in honor of superintendent George W. Long—
HJR 32, pages 260, 450, 471

South Brookley little league team, extending congratulations to—
SJR 12, pages 297, 312, 320, 484

Tucker, Earl Lee, mourning death of—
HJR 29, pages 259, 319

Vaughn, Linda, extending congratulations to—
SJR 7, pages 143, 257, 284, 483

Wallace, governor George C., commended—
HJR 7, pages 59, 139
HJR 13, pages 63, 140
HJR 27, pages 262, 318
SJR 17, page 426

White, Stephen Reese, mourning death of—
HJR 9, pages 60, 140

RETIREMENT SYSTEMS

Cities 130,000 population or more, class suits against board of trustees of pension system of—
HB 188, pages 254, 295, 348, 433

Cities 250,000 population or more, contributions and benefits under—
HB 69, pages 99, 183, 223, 395
SB 23, pages 14, 49, 157

Employees', county engineers included under—
HB 168, page 275
SB 58, pages 25, 234, 279, 404, 425, 484

REVENUE, STATE DEPARTMENT OF

Calhoun County, city of Anniston, collection and enforcement of privilege license taxes—
SB 127, pages 68, 93, 196, 311, 320, 484

ROBERT E. LEE HIGH SCHOOL BAND

Commended—
HJR 38, pages 277, 319

ROBERTS, ROBERT E.

Commended—

HJR 39, pages 313, 402

RUTLAND, ROBERT HORTON

Mourning death of—

HJR 19, pages 87, 188

SJR 6, pages 84, 257, 284, 483

SALES TAX

Entertainments, exhibitions and amusements, exemption from—

HB 133, pages 303, 332, 453

SB 106, pages 43, 234

Rate of, maximum, CA—

SB 3, page 5

Tunnels, exemption of structural steel used in fabrication of—

SB 93, pages 36, 252, 419, 420

SANDERS, GOVERNOR CARL

Invited to address legislature—

HJR 16, pages 85, 140

SANITARIANS

Examination, qualifications, and registration of—

HB 156, pages 274, 308, 373, 432

SB 60, page 25

SAVINGS AND LOAN ASSOCIATIONS

Covered under "Alabama Uniform Gifts to Minors Act"—

HB 141, pages 305, 423, 464, 480

SB 76, pages 30, 91

SCHOOLS

See also: BOARDS OF EDUCATION; EDUCATION; SUPERINTENDENTS OF EDUCATION; TRADE SCHOOLS

Alabama trade school and junior college authority authorized to issue bonds—

HB 112, pages 236, 251, 334, 335, 336, 337, 338, 341, 391

Attendance of pupils at, regulated—

HB 267, page 423

Driver education and training fund, assessing additional penalty in traffic violation cases for—

HB 84, pages 414, 425, 471, 478, 479, 482, 482

Physical examination of children—

HB 286, page 449

Private, authorizing tuition grants for pupils attending—

HB 108, pages 121, 185, 193, 283

Southern Union College, appropriation for acquisition and operation of—

SB 113, pages 233, 281, 377, 419, 484

Veterans, educational benefits for dependents of—

SB 12, page 7

SEARCH WARRANT

Defined—

SB 155, pages 250, 292

SECOND JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, page 377

SECRETARY OF STATE

Succession to office, authorized, CA—

SB 71, pages 30, 47, 82

SELMA, CITY OF

Mayor, compensation—

SB 88, pages 33, 251, 308, 442, 455, 484

SENATE

Adams, senator Charles H., expressing regret on illness of—
SJR 16, pages 407, 415, 426, 484

Adjournment—

HJR 44, pages 407, 408, 409, 410, 414

SJR 4, page 65

SR 15, page 322

Adjournment sine die—

HJR 56, page 476

SJR 13, page 309

SJR 18, page 427

Appropriation—

HB 111, pages 89, 94, 187, 192

SB 94, pages 36, 56, 81

“Civil Rights Act of 1964,” voiding of, within the state of Alabama—
SB 158, page 325

Clerical assistance after adjournment of—

HJR 48, pages 440, 456

Clerk, principal, appointment of—

SR 2, page 38

Committee appointed to notify governor that legislature is in session—

HJR 2, page 8

SJR 1, pages 4, 37

Committee on the aging, membership, organization, authority, and appointment of executive officer—

SB 92, pages 36, 91, 281, 403, 404, 425, 484

Committee on uniform commercial code, creating—

SJR 19, pages 427, 455, 477, 479, 485, 485

Committee to inform governor of sine die adjournment, created—

SJR 23, pages 474, 475

Committee to study and advise with state board of corrections, created—

SJR 22, pages 457, 462, 476, 477, 479, 485, 485

Committee to study apportionment, created—

HJR 6, pages 58, 139, 479, 485

SENATE (Continued)

Congress memorialized to take certain action relative to apportionment of—

HJR 5, pages 57, 139

HJR 12, pages 62, 140

Governor, joint session to hear address by—

HJR 3, page 9

HJR 14, page 65

Journals, printing and binding of—

HJR 47, pages 440, 456

Motion in Writing—Nichols relative to S. 71, page 82

National conference of state legislative leaders, payment of dues to—

HJR 15, pages 85, 140

Parking places for members of, designation of—

HJR 23, pages 141, 192, 258

Point of Order—relative to Rules Committee meeting, page 309

Point of Order—relative to H. B. 114, page 238

Point of Personal Privilege—Gilchrist, page 71

Point of Personal Privilege—Robison (Montgomery), page 74

Point of Personal Privilege—Hornsby, page 76

Reapportionment of, CA—

SB 1, page 5

SB 2, pages 5, 56, 451

Requesting return of House Bill 84 for reconsideration—

SR 24, page 477

Rules Committee—

Resignation of Honorable Charles Adams as Chairman of, page 321

Appointment of Honorable James Clark as Chairman of, page 321

Special order—

SR 5, page 81

SR 9, page 188

SR 14, pages 321, 322, 323

SEVENTEENTH JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, page 377

SEVENTH JUDICIAL CIRCUIT

Court reporters, compensation—

HB 248, page 300

Judgeship, additional, created—

HB 244, pages 301, 309, 331, 403, 415, 437

SHELBY COUNTY

Board of equalization, compensation of members—

HB 229, pages 272, 326, 352, 436

SHELBY COUNTY (Continued)

Board of registrars, compensation of members—
HB 228, pages 272, 326, 351, 435

Jurors, compensation—
HB 227, pages 272, 326, 351, 435

Sheriff, allowance for uniforms for personnel of—
HB 255, pages 289, 328, 356, 437

SHERIFF

Counties 21,988 to 22,000 population, compensation of deputy to—
HB 35, pages 267, 294, 431

Counties 32,000 to 33,000 population, allowance for uniforms for personnel of—
HB 255, pages 289, 328, 356, 437

Counties 42,000 to 46,000 population, compensation of employees of—
HB 234, pages 272, 332, 366, 436
SB 122, pages 67, 93, 198, 390, 419, 484

Counties 76,000 to 96,000 population, appointment and compensation of deputies—
HB 245, pages 273, 327, 354, 437

Counties 96,000 to 106,000 population, compensation—
HB 205, pages 276, 329, 360, 435

Counties 300,000 to 500,000 population, compensation of deputies and assistants to—
HB 253, pages 303, 331, 366, 437

Counties 300,000 to 500,000 population, exemption from liability—
HB 117, page 102

Counties 300,000 to 500,000 population, uniforms for deputies—
HB 252, pages 287, 327, 355, 437
HB 279, pages 389, 390, 424, 466, 480

Counties 400,000 population or more, retirement of assistants to—
HB 276, pages 390, 423, 472
SB 150, pages 243, 293, 345, 462, 476, 485

Counties 600,000 population or more, compensation—
HB 59, pages 95, 178, 207, 400
SB 40, pages 20, 52, 169

Dale County, allowance for empaneling grand juries—
HB 20, pages 105, 179, 228, 399

Dale County, appointment and compensation—
HB 21, page 106

Greene County, authorizing additional deputy—
SB 90, pages 34, 55, 150, 291, 299, 483

Jackson County, employment of criminal investigator—
SB 111, pages 44, 92, 193

Jefferson County, Bessemer division, compensation of assistant to—
HB 58, pages 137, 178, 207, 400
SB 39, pages 18, 52, 168

Jefferson County, taxing of witness fee for each deputy sheriff subpoenaed—
HB 75, pages 99, 184, 225, 396
SB 29, pages 14, 50, 160

SHERIFF (Continued)

Mobile County, appointment and compensation of assistants to—
HB 280, pages 378, 390, 424, 469, 481

St. Clair County, compensation of deputies—
HB 154, pages 128, 179, 211, 397

"Search warrant," defined—
SB 155, pages 250, 292

SIDNEY LANIER HIGH SCHOOL

Drill team and color guard commended—
SJR 11, pages 282, 312, 320, 484

SIXTEENTH JUDICIAL CIRCUIT

Judgeship, additional, created—
HB 206, page 304

SIXTH JUDICIAL CIRCUIT

Bailiffs, compensation—
HB 124, pages 103, 180, 214, 398, 458, 459, 481

Circuit court fund, establishment of—
SB 14, page 8

Probation, regulating granting of—
SB 13, pages 8, 54, 146, 290, 298, 428, 429, 442, 455, 483, 484

SOLICITOR, CIRCUIT

Counties 600,000 population or more, compensation of solicitor and deputy circuit and assistant deputy circuit solicitors—
HB 53, pages 138, 177, 206, 399
HB 54, pages 139, 182, 219, 394
SB 34, pages 17, 51, 163
SB 35, pages 17, 51, 164, 347

Eighth judicial circuit, regulating expenditures from solicitor's fund—
HB 191, pages 269, 330, 376, 434

Eighth judicial circuit, requisitions on solicitor's fund—
HB 191, pages 269, 330, 376, 434

Judicial circuits composed of one county and having not less than four nor more than nine judges, compensation—
HB 130, pages 104, 181, 217, 393

Judicial circuits composed of one county and having not less than one nor more than four judges, creating positions of administrative assistant and legal stenographer to—
HB 187, pages 273, 330, 363, 433

Judicial circuits composed of three or more counties, expense allowance—
HB 172, page 377

SOLICITOR, COUNTY

DeKalb County, office abolished—
SB 85, pages 31, 91, 229, 390, 418, 484

SOLICITOR, DEPUTY

DeKalb County, office created—
SB 85, pages 31, 91, 229, 390, 418, 484

SOUTH BROOKLEY LITTLE LEAGUE TEAM

Extending congratulations to—
SJR 12, pages 297, 312, 320, 484

SOUTHERN UNION COLLEGE

Appropriation for acquisition and operation of—
SB 113, pages 45, 233, 281, 377, 419, 484

SOVEREIGNTY COMMISSION, STATE

Board of registrars, subject to approval of, authorized to regulate
registration of voters—
HB 11, pages 414, 422, 463, 479

ST. CLAIR COUNTY

Elections, providing for use of paper ballots at—
HB 155, pages 129, 180, 212, 233, 397

Sheriff, compensation of deputies—
HB 154, pages 128, 179, 211, 397

SULLIGENT, TOWN OF

Boundaries altered—
HB 94, pages 108, 178, 208, 400

SUPERINTENDENT OF EDUCATION, COUNTY

Counties 13,700 to 14,300 population, compensation—
HB 98, pages 112, 178, 208, 396

Counties 14,500 to 14,900 population, compensation—
HB 165, pages 267, 297, 350, 433

SUPERINTENDENT OF EDUCATION, STATE

Succession to office, authorized, CA—
SB 71, pages 30, 47, 82

SUPREME COURT, STATE

Clerk, compensation of—
SB 108, pages 44, 234

Clerk, supernumerary, creating office of—
SB 109, pages 44, 234

Reporter, compensation—
SB 110, pages 44, 234

TALLADEGA COUNTY

Board of registrars, appointment and compensation of clerk—
SB 9, pages 7, 54, 144, 290, 298, 483

Election officials, compensation—
HB 157, pages 129, 179, 210, 397
SB 11, pages 7, 54, 145

Jury commission, compensation of clerk—
SB 8, pages 7, 54, 144, 289, 298, 483

TAX ASSESSOR

Counties 12,500 to 13,500 population, clerk-hire allowance—
HB 5, pages 105, 185, 226, 396
SB 74, pages 30, 55, 149

TAX ASSESSOR (Continued)

Counties 22,350 to 24,350 population, clerical assistance—

HB 283, pages 378, 390, 424, 470, 481

SB 154, pages 250, 293, 345, 462, 477, 485

Counties 76,000 to 96,000 population, compensation—

HB 247, page 273

Counties 300,000 to 500,000 population, fee provided for program of tax equalization—

SB 139, pages 91, 181, 217

Counties 500,000 population or more, compensation—

HB 62, pages 96, 183, 220, 394

SB 43, pages 20, 52, 170

Pike County, compensation of deputy to—

HB 150, pages 124, 179, 209, 397

TAX COLLECTOR

Counties 12,500 to 13,500 population, clerk-hire allowance—

HB 5, pages 105, 185, 226, 396

SB 74, pages 30, 55, 149

Counties 22,350 to 24,350 population, clerical assistance—

HB 284, pages 378, 390, 424, 470, 481

SB 153, pages 250, 293, 345, 462, 477, 485

Counties 76,000 to 96,000 population, compensation—

HB 247, page 273

Counties 500,000 population or more, compensation—

HB 62, pages 96, 183, 220, 394

SB 43, pages 20, 52, 170

Pike County, compensation of deputy to—

HB 151, pages 125, 179, 209, 397

TAXATION

See also: LICENSES; TAX ASSESSOR; TAX COLLECTOR; name of specific tax—

Alabama masonic home, exemption from licenses, taxes, and fees—

HB 264, pages 410, 414, 422, 461, 475, 481

Beer tax, distribution of proceeds—

HB 113, pages 254, 294, 338, 392

Counties 400,000 population or more, levy, collection, and enforcement of tobacco tax—

HB 41, pages 132, 177, 203, 401

SB 18, pages 11, 48, 153, 347

Income tax, amount of charitable contributions allowed as deduction under—

SB 55, pages 25, 56, 309

Jefferson County community chest, exemption from certain licenses and taxes—

SB 54, pages 25, 187, 233, 406, 463, 476, 484

HB 83, page 303

Lauderdale County, tobacco tax levied—

HB 100, pages 113, 251, 367, 431

TAXATION (Continued)

Mobile County, levy and collection of ad valorem tax for hospital purposes, CA—

HB 139, pages 263, 294, 370, 438

Mobile County, levy of license tax and registration fee on motor vehicles—

HB 282, pages 410, 414

Sales and use taxes, exemption of structural steel used in fabrication of tunnels—

SB 93, pages 36, 252, 419, 420

Sales tax, exemption of entertainments, exhibitions, and amusements—

HB 133, pages 303, 332, 453, 472

SB 106, pages 43, 234

Sales tax, maximum rate of, CA—

SB 3, page 5

Use tax, maximum rate of, CA—

SB 3, page 5

TENNESSEE RIVER BASIN

Survey of mineral, water, and petroleum resources of counties within—

SB 135, pages 70, 252

TENTH JUDICIAL CIRCUIT

Circuit clerk, deputy, compensation—

HB 63, pages 96, 183, 220, 394

SB 44, pages 20, 52, 170

Judgeship, additional, created—

HB 219, pages 304, 331, 453, 472

TEXTBOOKS

Creating committee to promote writing and printing of, by Alabamians—

HJR 55, pages 474, 478, 482

THIRTEENTH JUDICIAL CIRCUIT

Bailiffs, compensation—

HB 124, pages 103, 180, 214, 398, 458, 459, 481

Solicitor, compensation—

HB 130, pages 104, 181, 217, 393

Solicitor, creating positions of administrative assistant and legal stenographer to—

HB 187, pages 273, 330, 363, 433

Solicitors, deputy circuit, appointment and compensation of—

HB 127, pages 103, 181, 215, 398

Judgeship, additional, created—

SB 142, page 175

TILL, JOSEPH H., JR.

Butler County, relief of—

SB 66, pages 28, 55, 148, 290, 299, 483

TOBACCO TAX

Counties 400,000 population or more, levy, collection, and enforcement of—

HB 41, pages 132, 177, 203, 401

SB 18, pages 11, 48, 153, 347

Lauderdale County, levied—

HB 100, pages 113, 251, 367, 431

TOMBIGBEE RIVER

Appropriation, survey of mineral, water, and petroleum resources of counties within basin of—

SB 62, pages 27, 48

TRADE SCHOOLS

Alabama trade school and junior college authority authorized to issue bonds—

HB 112, pages 236, 251, 334, 335, 336, 337, 338, 341, 391

TRAILERS

Four-wheel, two-axle trailers, regulating operation of—

HB 36, page 301

Motor vehicles and semi-trailers, weight limitations of—

SB 157, page 307

TREASURER, COUNTY

Counties 600,000 population or more, compensation—

HB 52, pages 135, 182, 218, 394

SB 33, pages 17, 51, 163

Mobile County, appointment and compensation of assistant treasurer—

HB 119, pages 102, 180, 213, 394

TREASURER, STATE

Succession to office, authorized, CA—

SB 71, pages 30, 47, 82

TRINITY, TOWN OF

Boundaries altered—

HB 149, pages 123, 179, 209, 396

TROY, CITY OF

Boundaries altered—

HB 254, pages 287, 327, 355, 437

TRUCKS

Truck-tractors, placement of license tags on—

SB 149, page 233

Weight limitations of—

SB 157, page 307

TUCKER, EARL LEE

Mourning death of—

HJR 29, pages 259, 319

TUNNELS

Sales and use taxes, exemption of structural steel used in fabrication of—

SB 93, pages 36, 252, 419, 420

TUSCALOOSA COUNTY

Child care institutions, regulating operation of—

HB 196, pages 269, 296, 349, 434

HB 214, pages 277, 330, 364, 435

Circuit court, granting of probation in—

SB 13, pages 8, 54, 146, 290, 298, 428, 429, 442, 455, 483, 484

Conditional sales contracts, recordation of—

HB 143, page 305

SB 77, pages 30, 57, 271, 404, 425, 484

Fishing regulated—

HB 194, pages 269, 295, 349, 434

Voters, reidentification of—

HB 195, pages 269, 295, 344, 416, 434

TWELFTH JUDICIAL CIRCUIT

Judgeship, additional, created—

HB 17, pages 254, 294, 371, 415, 430

SB 72, pages 30, 234, 280

TWENTY-FIRST JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, page 377

TWENTY-FOURTH JUDICIAL CIRCUIT

Solicitor, expense allowance—

HB 172, page 377

TWENTY-NINTH JUDICIAL CIRCUIT

Bailiffs, appointment and compensation—

HB 158, pages 129, 179, 211, 397

SB 10, pages 7, 54, 145

TWENTY-SEVENTH JUDICIAL CIRCUIT

Board of registrars, office space, supplies, and clerical assistance—

HB 268, page 312

SB 148, pages 232, 251, 374, 462, 476, 485

Judges, compensation—

HB 226, pages 272, 328, 439, 456

Register, compensation—

SB 112, pages 45, 92, 193

TWENTY-THIRD JUDICIAL CIRCUIT

Bailiffs, compensation—

HB 124, pages 103, 180, 214, 398, 458, 459, 481

Judges, compensation—

HB 108, pages 121, 185, 193, 283

SB 103, pages 42, 92

USS ALABAMA BATTLESHIP

American legion commended for efforts on behalf of enshrinement of—

SJR 20, pages 428, 444, 456, 484

USS ALABAMA BATTLESHIP COMMISSION

County appropriations to, authorized—

HB 134, pages 305, 331, 421, 451, 472

UNIFORM COMMERCIAL CODE

Committee on, creating—

SJR 19, pages 427, 455, 477, 479, 485, 485

UNIVERSITY OF ALABAMA

Hobbs, Samuel Earle G.—Communication from Superintendent of Education relative to election of—Senate confirms, page 317

Law department, method of becoming member of state bar—

HB 237, page 300

USE TAX

Rate, maximum, CA—

SB 3, page 5

Tunnels, exemption of structural steel used in fabrication of—

SB 93, pages 36, 252, 419, 420

VAUGHN, LINDA

Extending congratulations to—

SJR 7, pages 143, 257, 284, 483

VETERANS—

Dependents of, educational benefits for—

SB 12, page 7

VETERANS OF FOREIGN WARS

Palumbo, Joseph, congratulated for leadership in—

HJR 40, pages 441, 456

VOCATIONAL EDUCATION

See: TRADE SCHOOLS

VOTERS

Absentee voting by persons in national guard and other reserve components—

HB 236, pages 303, 330, 405, 436

SB 132, pages 69, 94

Board of registrars, subject to approval of state sovereignty commission, authorized to regulate registration of—

HB 11, pages 414, 422, 463, 479

Counties 26,000 to 27,000 population, meetings, supplies, and clerical assistance for board of registrars—

SB 147, pages 232, 251, 344

Counties 31,500 to 33,500 population, compensation of members of board of registrars—

HB 228, pages 272, 326, 351, 435

VOTERS (Continued)

Counties 38,000 to 45,000 population, compensation of members of board of registrars—
SB 137, pages 70, 93, 230, 391, 419, 484

Counties 48,500 to 49,500 population, compensation of members of board of registrars—
HB 271, pages 378, 390, 423, 465, 480

Counties 96,000 to 106,000 population, meetings of board of registrars—
HB 203, pages 276, 329, 359, 415, 435

Counties 100,000 to 115,000 population, reidentification of—
HB 195, pages 269, 295, 344, 416, 434

Counties 150,000 to 300,000 population, compensation of members of board of registrars—
HB 232, pages 286, 327, 352, 436

Counties 150,000 to 300,000 population, meetings of board of registrars—
HB 202, pages 311, 331, 365, 434

Counties 400,000 population or more, meetings of board of registrars—
HB 43, pages 132, 180, 213, 398
SB 52, pages 24, 53, 173

Judicial circuit composed of one county less than 500,000 population and having two courthouses where circuit court is required to be held, office space, supplies, and clerical assistance for board of registrars—
HB 268, page 312
SB 148, pages 232, 251, 374, 462, 476, 485

VOTING

Absentee, by persons in national guard and other reserve components—
HB 236, pages 303, 330, 405, 436
SB 132, pages 69, 94

WALKER COUNTY

Election officials, compensation—
SB 129, pages 69, 93, 197, 315, 320, 484

Jasper, city of, compensation of judge of county court established for precincts with—
SB 15, pages 8, 54, 146, 290, 299, 483

Jurors, compensation—
SB 128, pages 69, 93, 198, 315, 320, 484

WATERWAYS

Alabama, Mobile, and Tombigbee river basins, appropriation for survey of mineral, water, and petroleum resources of—
SB 62, pages 27, 48

WHITE HOUSE ASSOCIATION

Appropriation—
SB 78, pages 30, 56, 280, 405, 425, 484

WHITE, STEPHEN REESE

Mourning death of—
HJR 9, pages 60, 140

WILLIAMS, WILLIE B.

Madison County, relief of—
SB 104, pages 42, 92, 194, 391, 419, 484

WILLS AND ADMINISTRATION

Children, appointment of mother or father as guardian—
HB 210, pages 414, 422, 461, 480

Estates, regulating settlement of estates by consent without notice—
HB 185, page 304

WINSTON COUNTY

Board of education, election and compensation of members—
HB 167, pages 267, 297, 359, 377

Board of revenue, expense allowance for members of—
HB 163, pages 267, 295, 348, 432

Coroner, compensation—
HB 164, pages 267, 297, 350, 432

County offices, filling vacancies in—
HB 166, pages 267, 297, 359

Superintendent of education, compensation—
HB 165, pages 267, 297, 350, 433

WITNESSES

Jefferson County, taxing of witness fee for each deputy sheriff
subpoenaed—
HB 75, pages 99, 184, 225, 396
SB 29, pages 14, 50, 160

ZONING

Municipal zoning ordinances, validating publication of—
HB 91, pages 285, 307, 452, 472

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY
SESSION OF 1964

HELD IN THE CITY OF MONTGOMERY COMMENCING
MONDAY, SEPTEMBER 21, 1964



WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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**JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY
SESSION OF 1964**

**FIRST LEGISLATIVE DAY
MONDAY, SEPTEMBER 21, 1964**

BE IT REMEMBERED, that on the 17th day of September, A.D., 1964, George C. Wallace, Governor of the State of Alabama, issued his proclamation in words and figures as follows, to-wit:

**A PROCLAMATION
BY THE
GOVERNOR**

WHEREAS, there now exists in our nation a constitutional crisis which threatens the very concept of our governmental structure; and

WHEREAS, the Tenth Amendment to the Constitution of the United States, which said Amendment reserves to the States or the people those powers not delegated to the United States by the Constitution, is being effectively nullified and declared to be of no force and effect without the sanction of the Constitution itself; and

WHEREAS, federal control of local school systems is the manifestation of this trend toward destruction of the basic precepts of the Constitution of the United States; and

WHEREAS, the Legislature and Governor of the State of Alabama have a duty and obligation to the citizens of this State and nation to initiate such procedures and to take such action as will assure that the rights of local citizens of individual states to have sole and exclusive jurisdiction of their public school systems be held inviolate; and

WHEREAS, there exists this extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama:

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the seat of Government at the State Capitol in Montgomery, Alabama, at six o'clock P.M., September 21, 1964, and I hereby designate the following subject and matter to be considered and acted upon by said Legislature in extraordinary session assembled:

1. To initiate action under the provisions of Article V of the Constitution of the United States to enable the State of Alabama and its people and the people of each of the separate states to have sole and exclusive jurisdiction of the public school systems of their separate states, all in accordance with the original and basic precepts of the Constitution.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and caused the Secretary of State to attest this proclamation, at the Capitol, in the City of Montgomery, on the 17th day of September, 1964.

GEORGE C. WALLACE,
Governor.

ATTEST:

MRS. AGNES BAGGETT,
Secretary of State.

Pursuant to such proclamation, at the hour of 6 o'clock P.M., on Monday, September 21, 1964, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by Honorable James B. Allen, Lieutenant Governor and President and Presiding Officer of the Senate. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend Arnold F. McRae, Minister, Cloverdale Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

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LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams and Metcalf for today.

RESOLUTIONS

Mr. Nichols offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a Committee of two members of the Senate, to be named by the presiding officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED That said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

On motion of Mr. Nichols, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Mathews and Nichols.

Mr. Nichols offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 6:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of two from the Senate, to be named by the Presiding Officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. Nichols, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate has named as Committee on part of the Senate Messrs. Mathews and Nichols.

MESSAGE FROM THE HOUSE

Mr. President:

I am directed by the House of Representatives to notify the Senate that the House of Representatives is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fite:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

And the Speaker of the House named as a Committee on the part of the House Messrs. Thomas, Engel and Rast.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Roberts, the Rules were suspended and the Resolution, H. J. R. 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate has named as Committee on part of the Senate Messrs. Mathews and Nichols.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fite:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate be held at 6:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House to be named by the Speaker of the House and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the Speaker of the House appointed as a Committee on the part of the House Messrs. Turner (Crenshaw), Goodwyn and Merrill.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gilchrist, the Rules were suspended and the Resolution, H. J. R. 3, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Mathews and Nichols.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fite:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Journals and Acts of this Second Extraordinary Session of both the House and Senate, be bound with the Journals and Acts of the First Extraordinary Session of the Alabama Legislature of 1964.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Evans, the Rules were suspended and the Resolution, H. J. R. 4, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

JOINT SESSION

The hour of 6:30 P.M. having arrived, and in accordance with Joint Resolution, heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor.

The Session was called to order by Honorable James B. Allen, Lieutenant Governor and President and Presiding Officer of the Senate.

A quorum of the Legislature of Alabama was present.

Thereupon, Honorable George C. Wallace was escorted to the Chair and delivered his address to the Legislature of Alabama.

(See House Journal for address by Governor Wallace.)

The purpose of the Joint Session having been accomplished the Senate returned to its Chamber and was called to order by Honorable James B. Allen, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

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RESOLUTION

Messrs. Givhan, Dumas and Oden offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. WHEREAS the passing of Mr. Claude Lawson, prominent industrialist of Birmingham was a distinct loss to Alabama and to his many friends who bemoan his death; and

WHEREAS Mr. Lawson's foresight and keen judgment in the affairs of business management and industrial leadership made his wise counsel much sought after during his long association with Sloss-Sheffield Steel and Iron Company, U. S. Pipe and Foundry Company, the Associated Industries of Alabama, and with the Birmingham Trust National Bank of which he was a valued director; and

WHEREAS Mr. Lawson's deep concern for his community and State as well as his loyalty to his close associates and friends will be sorely missed; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the death of Mr. Lawson and extends its sincere sympathy to Mrs. Lawson and the surviving members of his family.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mrs. Lawson, to the president of the United States Pipe and Foundry Company, and to Associated Industries of Alabama.

On motion of Mr. Dumas, the Rules were suspended and the Resolution was adopted by the Senate.

RESOLUTION

Messrs. Mathews, Oden, Nichols, Cooper, Shelton, Wilson, Hawkins, Montgomery, Lowe, Eddins, Givhan, Carter, James, Gilchrist, McDow, Taylor, Dumas, Brannan, Robison (Pickens), Evans, Hammond, Smith, Robison (Montgomery), Hornsby, Tyson, Reynolds, Clark, Bentley, Allen, Lolley, Roberts, Horton and McCain offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES:

The Alabama Legislature, in extraordinary session assembled, most respectfully represent that there is an urgent necessity for clarification and settlement by law of questions relating to the powers and rights reserved in the people and the several states under Article X of the Amendments of the United States Constitution as such powers and rights relate to the operation, management and control of public schools in the several states; now therefore be it

RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we hereby petition the Congress, under authority of Article V of the United States Constitution to call a convention, as therein provided, to propose an Amendment to Article X of the Amendments to the United States Constitution by adding a proviso thereto as follows:

"Among the rights reserved to the states shall be the right to sole, and exclusive jurisdiction of public school systems in the separate states, and all rights, privileges and immunities of citizens of the separate states, as they relate to public school education, shall be determined solely by state courts. This Constitution shall not be construed in a manner to empower the President of the United States, the Congress or the Federal Judiciary to disparage or nullify this inherent right in the states."

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to the Presiding officers of the separate Houses of the Legislature of the several states and to the Governors of the several states and to the members of the Alabama delegation in the Congress.

On motion of Mr. Mathews, the Rules were suspended and the Resolution was adopted by the Senate.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

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Nays:

—0

Mr. Mathews requested that the Journal show that if Messrs. Metcalf and Adams had been present, they would have voted in favor of the Resolution, S. J. R. 4.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Fite, Brewer, Cantrell, Goodwyn, Downing, Bevill, Turnham, Rogers, Turner (Crenshaw), Etheredge, Collins, McCorquodale, Moore, Powell, Meade, Camp, Meeks, Holladay, Scurlock, Sternbridge, Jones (Covington), Bassett, Salter, Young, Baker (Madison), Callahan, Gilmore, Sullivan, Paulk, Thomas, Bowers, Nettles, Edwards (Lowndes), Cornett, Fields, Hain, Cook, Hannah, Vacca, Turner (Limestone), Grouby, Burnham, Little, Branyon, Blanton, Bethea (M), Bailes, Campbell (Tuscaloosa), Hogan, Goldthwaite, Bolton, Snell, Barnett, Perry, Hawkins, Locke, Hester, Pennington, Owens, Teel, McDermott, Steagall, Glass, Edington, Sessions, Edwards (Escambia), Brown (Tuscaloosa), Boston, Daniel, Engel, Ne-Smith, Harper, Carr, Albea, Bethea (B), Casey, Ingram, Pierce, Smith, Dominick, Brown (Jefferson), Crawford, Hankins, Posey, Mashburn:

H. J. R. 5. TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES:

The Alabama Legislature, in extraordinary session assembled, most respectfully represent that there is an urgent necessity for clarification and settlement by law of questions relating to the powers and rights reserved in the people and the several states under Article X of the Amendments of the United States Constitution as such powers and rights relate to the operation, management and control of public schools in the several states; now therefore be it

RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we hereby petition the Congress, under authority of Article V of the United States Constitution to call a convention, as therein provided, to propose an Amendment to Article X of the Amendments to the United States Constitution by adding a proviso thereto as follows:

“Among the rights reserved to the states shall be the right to sole, and exclusive jurisdiction of public school systems in the separate states, and all rights, privileges and immunities of citizens of the separate states, as they relate to public school education, shall be determined solely by state courts. This Constitution shall not be construed in a manner to empower the President of the United States, the Congress or the Federal Judiciary to disparage or nullify this inherent right in the states.”

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to the presiding officers of the separate Houses of the Legislature of the several states and to the Governors of the several states and to the members of the Alabama delegation in the Congress.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 5, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—33

Nays:

—0

Mr. Mathews requested that the Journal show that if Messrs. Metcalf and Adams had been present, they would have voted in favor of the Resolution, H. J. R. 5.

RESOLUTIONS

Mr. Tyson offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature notes with sincere regret the recent death of an outstanding citizen of Alabama, a native of Cullman who became a citizen of Mobile, Mr. Thomas H. Dodd. For many years Mr. Dodd was an active worker for the beautification and betterment of the City of Mobile. As a member and officer of the local P. T. A., many fraternal organizations, the Chamber of Commerce, and the Nurserymen's Association, his contributions to the city of the Azalea Trail were numerous.

BE IT FURTHER RESOLVED that the Legislature hereby extends heartfelt sympathy to Mrs. Dodd and other surviving members of Mr. Dodd's family.

The Secretary of the Senate is directed to send a copy of this resolution to Mrs. Dodd.

On motion of Mr. Tyson, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Cooper, Carter, Shelton, Wilson, Givhan, McDow, Mathews, Robison (Montgomery), Montgomery, Gilchrist, Hammond, Taylor, James, Nichols, Evans, Brannan, Robison (Pickens), Smith, Bentley, Eddins, Hornsby, Clark, Reynolds, Horton, Tyson, Oden, Lolley, Hawkins, Allen, Roberts, McCain and Lowe offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES:

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we hereby petition the Congress, under authority of Article V of the United States Constitution to call a convention, as therein provided, to propose an Amendment to the United States Constitution which will unequivocally empower a state at

its option, to achieve equality of representation in its legislative body by utilizing population in apportioning one house of its legislature and any criteria as in its wisdom may be in its individual best interest in apportioning the other house of its legislature, thereby permitting the States to retain the pattern of governmental structure which has withstood the test of time and has proven its merits both in the national government and in the States.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to the presiding officers of the separate Houses of the Legislature of the several states and to the Governors of the several states and to the members of the Alabama delegation in the Congress.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rules Committee:

H. J. R. 6. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two houses adjourn today they adjourn Sine Die.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mathews, the Rules were suspended and the Resolution, H. J. R. 6, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Mr. Horton offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the members of the Legislature serve without pay and per diem for the legislative day, September 21, 1964.

BE IT FURTHER RESOLVED, That the mileage allowance for each member of the Legislature entitled thereto be paid as authorized and prescribed by law.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 3. Relative to expressing regret on the death of Mr. Claude Lawson.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Powell:

H. J. R. 9. WHEREAS, Mayor John W. Castleberry has contributed immeasurably of his time, energy, and financial resources towards the betterment of the social, cultural and economic lives of the citizens of Eclectic; and

WHEREAS, Mayor Castleberry in addition to his monetary gifts, served his town as mayor without pay for eight years; and

WHEREAS, the lives of the citizens of Eclectic have been enriched and enabled by this selfless individual; and

WHEREAS, as a gesture of appreciation for the services rendered his community, citizens of Eclectic are sponsoring a supper in his honor; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body joins with the citizens of Eclectic in expressing appreciation to Mayor Castleberry for his many contributions to his community and commends the town for having such an outstanding citizen.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hornsby, the Rules were suspended and the Resolution, H. J. R. 9, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Rast, Sessions, Etheredge, Collins, Hawkins, Perry, Brown (Jefferson), Locke, Meeks, Bethea (M), Bowers, Dominick, Vacca, Gilmore, Bethea (B), Bailes, Morrow:

H. J. R. 8. WHEREAS, this season's football schedule for Legion Field in Birmingham includes such outstanding contests as the Alabama-Vandy, the Alabama-LSU, the Auburn-Tennessee, the Auburn-Georgia Tech and the Auburn-Alabama games; and

WHEREAS, in addition to these college games many games between ranking high school football teams are also scheduled to be played at Legion Field during the ensuing season; and

WHEREAS, the fine stadium at Legion Field, when the addition thereto which is currently under construction is completed, will seat 70,000 people; and

WHEREAS, Birmingham because of its location near the center of the Southeastern States with easy access thereto by rail, air and super

highways, is a natural meeting ground for sports fans and competing teams from throughout the South; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the City of Birmingham is truly "The Football Capital of the South," and all sports lovers and football fans everywhere are cordially invited to come to Birmingham and enjoy the many events scheduled to take place in Legion Field.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended, and the Resolution, H. J. R. 8, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Camp and Bolton:

H. J. R. 7. WHEREAS the Alabama Institute for Deaf and Blind, which is devoted to the purpose of educating an important though limited segment of this State's population, has long been recognized for its outstanding services and record of accomplishments within its field of operation; and

WHEREAS the value of educating the students of this Institute to be self-reliant and self-sustaining both from the standpoint of humanitarian and economic reasons is unquestioned; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Board of Education is respectfully requested to cause to be made a study to determine the need and feasibility of establishing a trade school to be operated in conjunction with the Alabama Institute for Deaf and Blind at Talladega.

BE IT FURTHER RESOLVED, That if such need and feasibility be found to exist, it is the sense of this body that the funds needed for such purpose should be allotted from the proceeds of bonds sold by the Alabama Trade School and Junior College Authority.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 7, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Little, Goldthwaite, Nettles, Rogers, Daniel, Pierce and Goodwyn:

H. J. R. 11. Whereas, Senator Barry Goldwater, candidate for President of the United States, appeared in Montgomery, the Capital City of Alabama on September 16th; and,

Whereas, this was the first visit to Montgomery by a Presidential candidate in modern history; and,

Whereas, while here the Senator stated his strong belief in the doctrine of States Rights; and,

Whereas, he expressed his beliefs in law and order in the public streets of this country and his beliefs with regard to Constitutional Government; and,

Whereas, these doctrines of States Rights, Constitutional Government, fiscal responsibility, and law and order as opposed to mob rule and the Communist inspired doctrine of "civil disobedience" represent the views of the overwhelming majority of the people of Alabama:

Now, Therefore, Be it resolved by the House of Representatives, the Senate concurring, that this legislature commend Senator Goldwater for his visit to Alabama and the Cradle of the Confederacy and for expressing his view in such a forthright manner

Be it further resolved, that a copy of this resolution be transmitted to Senator Barry Goldwater.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 11, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 5. Relative to the death of Mr. Thomas H. Dodd and expressing sympathy to his family.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 3. Mourning the death of Mr. Claude Lawson of Birmingham.

Also:

S. J. R. 5. Mourning the death of Mr. Thomas H. Dodd of Mobile.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 5. Relative to petitioning the Congress, under authority of Article V of the United States Constitution to call a convention, as therein provided, to propose an amendment to Article X of the amendments to the United States Constitution.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 7. Relative to requesting the State Board of Education to make a study to determine the need for a trade school to be operated in conjunction with the Alabama Institute for Deaf and Blind at Talladega.

Also:

H. J. R. 8. Relative to Legion Field in Birmingham, Alabama.

Also:

H. J. R. 9. Relative to expressing appreciation to Mayor John W. Castleberry of Eclectic for his many contributions to his community.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 3 Delivered to the Governor September 21, 1964, at 8:40 P.M.

S. J. R. 5 Delivered to the Governor September 21, 1964, at 8:40 P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. McCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

ADJOURNMENT

At 8:48 P.M., on motion of Mr. Nichols, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

JAMES B. ALLEN,
Lieutenant Governor and President and
Presiding Officer of the Senate

ATTEST:

McDOWELL LEE,
Secretary of Senate

LEGISLATIVE DAYS
SECOND EXTRAORDINARY SESSION 1964

<i>Legislative Days—Calendar Days</i>	<i>Page</i>
FIRST DAY—Monday, September 21.....	3

INDEX SECOND EXTRAORDINARY SESSION

ACTS OF ALABAMA

Legislature, printing and binding of acts and journals of—
HJR 4, page 6

ALABAMA INSTITUTE FOR DEAF AND BLIND

Board of education requested to make study relative to location of
trade school at—
HJR 7, pages 13, 15

BIRMINGHAM, CITY OF

Football and other sports fans invited to Legion Field—
HJR 8, pages 12, 15

BOARD OF EDUCATION, STATE

Alabama institute for deaf and blind, requesting study relative to
location of trade school at—
HJR 7, pages 13, 15

CASTLEBERRY, JOHN W.

Expressing appreciation to—
HJR 9, pages 12, 15

CONGRESS

Legislative bodies, petitioned to propose constitutional amendment
relative apportionment of—
SJR 6, page 10

Schools, public, petitioned to propose constitutional amendment
relative to state control of—
HJR 5, pages 9, 15
SJR 4, page 8

DODD, THOMAS H.

Mourning death of—
SJR 5, pages 10, 14, 16

ECLECTIC, CITY OF

Castleberry, John W., expressing appreciation to—
HJR 9, pages 12, 15

EDUCATION

Alabama institute for deaf and blind, state board of education re-
quested to make study relative to location of trade school at—
HJR 7, pages 13, 15

Congress petitioned to propose constitutional amendment relative to
state control of public schools—
HJR 5, pages 9, 15
SJR 4, page 8

GOLDWATER, SENATOR BARRY

Commended—

HJR 11, page 14

GOVERNOR

Legislature, joint session to hear address by—

HJR 3, page 6

SJR 2, page 5

Notified that legislature is in session—

HJR 2, page 5

SJR 1, page 4

HOUSE OF REPRESENTATIVES

Acts and journals, printing and binding of—

HJR 4, page 6

Adjournment sine die

HJR 6, page 11

Compensation of members during special session—

SJR 7, page 11

Congress petitioned to propose constitutional amendment relative to apportionment of—

SJR 6, page 10

Governor, joint session to hear address by—

HJR 3, page 6

SJR 2, page 5

Governor notified that legislature is in session—

HJR 2, page 5

SJR 1, page 4

JEFFERSON COUNTY

Birmingham, city of, inviting football and other sports fans to

Legion Field—

HJR 8, pages 12, 15

LAWSON, CLAUDE

Mourning death of—

SJR 3, pages 7, 11, 14, 16

LEGION FIELD

Inviting football and other sports fans to—

HJR 8, pages 12, 15

LEGISLATURE

Acts and journals of second special session, printing and binding of—

HJR 4, page 6

Adjournment sine die—

HJR 6, page 11

Compensation of members during special session—

SJR 7, page 11

Congress petitioned to propose constitutional amendment relative to apportionment of—

SJR 6, page 10

LEGISLATURE (Continued)

Governor, joint session to hear address by—

HJR 3, page 6

SJR 2, page 5

Governor notified that legislature is in session—

HJR 2, page 5

SJR 1, page 4

Joint Session—

To hear Message of Governor Wallace, page 7

Message From House—

Organization of, page 5

RESOLUTIONS

Alabama institute for deaf and blind, state board of education requested to make study relative to location of trade school at—
HJR 7, pages 13, 15

Castleberry, John W., expressing appreciation to—

HJR 9, pages 12, 15

Congress petitioned to propose constitutional amendment relative to apportionment of legislative bodies—

SJR 6, page 10

Congress petitioned to propose constitutional amendment relative to state control of public schools—

HJR 5, pages 9, 15

SJR 4, page 8

Dodd, Thomas H., mourning death of—

SJR 5, pages 10, 14, 16

Goldwater, senator Barry, commended—

HJR 11, page 14

Governor notified that legislature is in session—

HJR 2, page 5

SJR 1, page 4

Jefferson County, city of Birmingham, inviting football and other sports to visit Legion Field—

HJR 8, pages 12, 15

Lawson, Claude, mourning death of—

SJR 3, pages 7, 11, 14, 16

Legislature, adjournment sine die—

HJR 6, page 11

Legislature, compensation of members during special session—

SJR 7, page 11

Legislature, joint session to hear address by governor—

HJR 3, page 6

SJR 2, page 5

Legislature, printing and binding of acts and journals of—

HJR 4, page 6

SCHOOLS

Alabama institute for deaf and blind, state board of education requested to make study relative to location of trade school at—
HJR 7, pages 13, 15

Congress petitioned to propose constitutional amendment relative to state control of—
HJR 5, pages 9, 15
SJR 4, page 8

SENATE

Acts and journals, printing and binding of—
HJR 4, page 6

Adjournment sine die—
HJR 6, page 11

Compensation of members during special session—
SJR 7, page 11

Congress petitioned to propose constitutional amendment relative to apportionment of—
SJR 6, page 10

Governor, joint session to hear address by—
HJR 3, page 6
SJR 2, page 5

Governor notified that legislature is in session—
HJR 2, page 5
SJR 1, page 4

TRADE SCHOOLS

Alabama institute for deaf and blind, state board of education requested to make study relative to location of trade school at—
HJR 7, pages 13, 15

VOCATIONAL EDUCATION

Alabama institute for deaf and blind, state board of education requested to make study relative to location of trade school at—
HJR 7, pages 13, 15

ROSTER OF THE SENATE OF ALABAMA

SPECIAL SESSIONS 1964

James B. Allen, <i>Lieutenant Governor</i>	Gadsden
George Hawkins, <i>President Pro-Tem</i>	Gadsden
McDowell Lee, <i>Secretary</i>	Montgomery
Mrs. Nell W. Ruffer, <i>Assistant Secretary</i>	Montgomery
First Senatorial District—Lauderdale and Limestone Counties.	
James E. (Ed) Horton, Jr.	Route 1, Madison
Second Senatorial District—Lawrence and Morgan Counties.	
Bob Gilchrist	P. O. Box 312, Decatur
Third Senatorial District—Cullman and Winston Counties.	
Harlan G. (Mutt) Allen	P. O. Box No. 28, Cullman
Fourth District—Madison County.	
Roscoe O. Roberts, Jr.	P. O. Box 829, Huntsville
Fifth Senatorial District—Jackson and Marshall Counties.	
Clayton Carter	Box 306, Guntersville
Sixth Senatorial District—Etowah County.	
George Hawkins	930 Forrest Ave., Gadsden
Seventh Senatorial District—Calhoun County.	
A. C. Shelton	Jacksonville
Eighth Senatorial District—Talladega County.	
Bill Nichols	Box 354, Sylacauga
Ninth Senatorial District—Chambers and Randolph Counties.	
Julian Lowe	P. O. Box 592, Roanoke
Tenth Senatorial District—Elmore and Tallapoosa Counties.	
Ernest C. (Sonny) Hornsby	112 Central Blvd., East Tallassee
Eleventh Senatorial District—Tuscaloosa County.	
Wm. C. (Bill) McCain	705 First National Bldg., Tuscaloosa
Twelfth Senatorial District—Fayette and Walker Counties.	
Robert T. (Bob) Wilson	Box 1090, Jasper
Thirteenth Senatorial District—Jefferson County.	
Lawrence (Larry) Dumas	1414 Brown Marx Bldg., B'ham
Fourteenth Senatorial District—Lamar and Pickens Counties.	
B. G. (Gaillard) Robison, Jr.	Carrollton
Fifteenth Senatorial District—Autauga, Chilton and Shelby Counties.	
J. T. (Jimmy) McDow	Columbiana

ROSTER OF THE SENATE OF ALABAMA—Continued

- Sixteenth Senatorial District—Monroe and Wilcox Counties.
 Roland Cooper..... Camden
- Seventeenth Senatorial District—Butler, Conecuh and Covington Counties.
 H. B. Taylor..... Box 278, Georgiana
- Eighteenth Senatorial District—Bibb and Perry Counties.
 H. P. James..... Brent
- Nineteenth Senatorial District—Choctaw, Clarke and Washington Counties.
 Albert H. Evans, Jr..... Butler
- Twentieth Senatorial District—Marengo and Sumter Counties.
 E. O. Eddins..... Demopolis
- Twenty-first Senatorial District—Baldwin and Escambia Counties.
 L. W. Brannan, Jr..... Foley
- Twenty-second Senatorial District—Blount and St. Clair Counties.
 L. D. Bentley, Jr..... P. O. Box 481, Oneonta
- Twenty-third Senatorial District—Dale and Geneva Counties.
 Neil Metcalf..... P. O. Box 175, Geneva
- Twenty-fourth Senatorial District—Barbour and Pike Counties.
 James S. (Jimmy) Clark..... Eufaula
- Twenty-fifth Senatorial District—Coffee and Crenshaw Counties.
 W. Ray Lolley..... 107 Easy Street, Enterprise
- Twenty-sixth Senatorial District—Bullock and Macon Counties.
 Ed Reynolds..... Notasulga
- Twenty-seventh Senatorial District—Lee and Russell Counties.
 Joseph W. Smith..... Box 519, Phenix City
- Twenty-eighth Senatorial District—Montgomery County.
 Vaughan Hill Robison..... P. O. Box 901 or 36 So. Perry St., Montgomery.
- Twenty-ninth Senatorial District—Cherokee and DeKalb Counties.
 Kenneth Hammond..... P. O. Box 92, Valley Head
- Thirtieth Senatorial District—Dallas and Lowndes Counties.
 Walter C. Givhan..... Safford
- Thirty-first Senatorial District—Colbert, Franklin and Marion Counties.
 W. E. Oden..... 402 High St., N. W., Russellville

ROSTER OF THE SENATE OF ALABAMA—Continued

Thirty-second Senatorial District—Greene and Hale Counties.	
Charles A. Montgomery.....	Eutaw
Thirty-third Senatorial District—Mobile County.	
John M. Tyson—704 Annex First National Bank Bldg., Mobile	
Thirty-fourth Senatorial District—Clay, Cleburne and Coosa Counties.	
Charles (Pete) Mathews.....	Ashland
Thirty-fifth Senatorial District—Henry and Houston Counties.	
Charles H. (Charlie) Adams.....	Box 975, Dothan

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA****SPECIAL SESSIONS 1964****OFFICERS**

Albert P. Brewer, <i>Speaker</i>	Decatur
Rankin Fite, <i>Speaker Pro-Tem</i>	Hamilton
John W. Pemberton, <i>Clerk</i>	Montgomery
Richard C. Belser, <i>Reading Clerk</i>	Montgomery

MEMBERS OF THE HOUSE

Autauga—E. A. (Bud) Grouby.....	Prattville
Baldwin—Telfair J. Mashburn.....	Box 192, Bay Minette
Barbour—Sim A. Thomas.....	Eufaula
Bibb—Fred H. Davis.....	Brent
Blount—Carl D. NeSmith.....	Box 561, Oneonta
Bullock—James L. Paulk.....	Route 3, Box 198A, Union Springs
Butler—F. LaMont Glass.....	Greenville
Calhoun—Place No. 1—Woodrow Albea.....	Anniston
Place No. 2—Hugh D. Merrill.....	Box 1486, Anniston
Place No. 3—H. R. (Pat) Burnham.....	Box 1618, Anniston
Chambers—Charles Snell.....	Fairfax
Cherokee—Ralph A. Meade.....	Cedar Bluff
Chilton—H. Grady Heflin.....	Box 1057, Clanton

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Choctaw—Roswell Doggett	Butler
Clarke—Joe C. McCorquodale, Jr.	Box 535, Jackson
Clay—Kenneth F. Ingram	Ashland
Cleburne—John S. Casey	Box 266, Heflin
Coffee—Drexel Cook	Pinedale Drive, Elba
Colbert—Berry Lynchmore Cantrell	1427 Circle Drive, Tuscumbia
Conecuh—Wiley Salter	Evergreen
Coosa—Robert J. Teel	Rockford
Covington—Fletcher Jones	Box 928, Andalusia
Crenshaw—Alton Turner	Box 207, Luverne
Cullman—Tom Drake	Box 46, Cullman
Dale—Henry B. Steagall, II	35 South Court Square, Ozark
Dallas—Place No. 1—John H. Blanton ..	1018½ Water Ave., Selma
Place No. 2—B. V. Hain	Box 155, Selma
DeKalb—R. Excell Baker	Box 64, Crossville
Elmore—Freddie Powell	Route 1, Tallassee
Escambia—Malcolm Edwards	East Brewton
Etowah—Place No. 1—Ollie W. Nabors ..	Box 846, Gadsden
Place No. 2—Gary F. Burns	1000 Forrest Ave., Gadsden Gadsden
Place No. 3—W. E. (Bill) Owens, Jr.	1243 Sangster Rd.,
Fayette—James A. (Jimmy) Branyon	Box 600, Fayette
Franklin—Walston Hester	Box 71, Russellville
Geneva—Roland R. Faulk	Samson
Greene—	
Hale—Richard M. Avery	Greensboro
Henry—J. F. (Buddy) Crawford	Abbeville
Houston—R. J. (Bob) Stembridge	Box 712, Dothan
Jackson—Loy Campbell	Box 241, Scottsboro

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Jefferson—

George Lewis Bailes, Jr. 3813 Dunbarton Dr., Birmingham
 Barron Bethea Box 2202, Birmingham
 Malcolm Bethea 1606 Wellington Road, Homewood
 Quinton R. Bowers 215 Frank Nelson Bldg., Birmingham
 Norman K. "Tiger" Brown 1731 Fairfax Ave., Bessemer
 Donald L. Collins 12th Floor, Bank For Savings Bldg.,
 Birmingham
 Richard Dominick Frank Nelson Bldg., Birmingham
 Foster Buck Etheredge 805 First National Bldg., Birmingham
 Eddie Hubert Gilmore Box 546, Bessemer
 John H. Hawkins 1841 Montclair Drive, Birmingham
 Hugh A. Locke, Jr. 952 Conroy Road, Birmingham
 J. Paul Meeks, Jr. 333 Bank For Savings Bldg., Birmingham
 Hugh Morrow, III 214 Woodward Bldg., Birmingham
 Walter Emmett Perry, Jr. 903 Frank Nelson Bldg.,
 Birmingham
 Holt Rast Box 1491, Birmingham
 Tram Sessions Box 2612, Birmingham
 Paschal P. "Pat" Vacca 727-728 Frank Nelson Bldg.,
 Birmingham

Lamar—Jack Hankins Vernon

Lauderdale—Place No. 1—Chester Boston 601 Cherry Street,
 Florence

Place No. 2—W. C. (Buddy) Hannah Box 220, Rogersville

Lawrence—Edsel F. Moore Box 31, Moulton

Lee—Pete B. Turnham 606 Moore Mill Road, Auburn

Limestone—Granville Turner Route 2, Toney

Lowndes—William Edwards Fort Deposit

Macon—Andrew J. Cooper Box 457, Tuskegee

Madison—Place No. 1—N. L. (Luke) Reynolds 2225 California
 St., Huntsville

Place No. 2—James W. Baker 205 Uptown Bldg., Huntsville

Place No. 3—Harry L. Pennington 809 Shorey Dr., S. W.,
 Huntsville

Marengo—V. Buren Daniel Nanafalia

Marion—Rankin Fite Box 157, Hamilton

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Marshall—Aubrey J. Carr	Guntersville
Mobile—Place No. 1—Wm. H. McDermott	Box 1374, Mobile
Place No. 2—Mylan R. Engel	Box 1045, Mobile
Place No. 3—C. M. A. Rogers, III	Box 1070, Mobile
Place No. 4—Clara Stone Fields	1950 Hunter Ave., Mobile
Place No. 5—Robert S. Edington	Box 388, Mobile
Place No. 6—Coy Smith	Citronelle
Place No. 7—Elwood L. Hogan	1868 Government St., Mobile
Place No. 8—Maurice A. "Casey" Downing	318 Annex First Natl. Bank Bldg., Mobile
Monroe—Ralph L. Jones	Monroeville
Montgomery—Place No. 1—Alfred W. Goldthwaite	26 South Perry Street, Montgomery
Place No. 2—O. J. (Joe) Goodwyn	325 Bell Bldg., Montgomery
Place No. 3—Tandy D. Little, Jr.	1829 Robison Hill Road, Montgomery
Place No. 4—J. J. (Junie) Pierce	2448 Carter Hill Road, Montgomery
Morgan—Place No. 1—Albert P. Brewer	Box 1487, Decatur
Place No. 2—Ralph E. Slate	Box 1344, Decatur
Perry—Roy A. Barnett	Marion
Pickens—Ulie B. Sullivan	Reform
Pike—L. Gardner Bassett	Troy
Randolph—Gus W. Young	Graham
Russell—Homer Cornett	Box 88, Phenix City
St. Clair—Edwin Holladay	Pell City
Shelby—John Lewis Cates	Columbiana
Sumter—Ira D. Pruitt	Livingston
Talladega—Place No. 1—Lyndol Bolton	Ogletree Bldg., Sylacauga
Place No. 2—Ashley L. Camp, Jr.	305 E. North Street, Talladega
Tallapoosa—Owen Harper	East Tallassee

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

Tuscaloosa—Place No. 1—A. K. (Temo) Callahan.....	913 First National Bank Bldg., Tuscaloosa
Place No. 2—William D. Campbell, Jr.....	Tuscaloosa
Place No. 3—Ralph D. Brown.....	2210 10th Ave., Tuscaloosa
Walker—Place No. 1—Louie M. Scurlock.....	Gen. Del., Sumiton
Place No. 2—Tom Bevill.....	Box 1091, Jasper
Washington—J. Emmett Wood.....	Millry
Wilcox—Sam C. Nettles, Jr.....	Arlington
Winston—John A. Posey, Jr.	Haleyville

